

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF WEST VIRGINIA**

KEITH REED, ELIZABETH SCHENKEL,
EMILY WINES, MARK GARAN, and
AUGUST ULLUM, individually and on
behalf of others similarly situated,

Plaintiffs,

v.

ALECTO HEALTHCARE SERVICES LLC,
and ALECTO HEALTHCARE SERVICES
WHEELING, LLC d/b/a OHIO VALLEY
MEDICAL GROUP and d/b/a OVMC
PHYSICIANS,

Defendants.

Case No. 5:19-cv-00263-JPB

Judge John Preston Bailey

CLASS ACTION

**DECLARATION OF JOHN STEMBER IN SUPPORT OF
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS**

1. John Stember, undersigned counsel, submits this Declaration in Support of Plaintiffs' Motion for Attorneys' Fees and Costs ("Fees and Costs Motion") in the above-captioned case (the "Litigation").

2. I am a member of the law firm of Stember Cohn & Davidson-Welling, LLC ("SCDW"), as is my partner Maureen Davidson-Welling, and as was my former partner, Vincent J. Mersich. SCDW is one of the four firms appointed as Class Counsel in this case. I submit this Declaration in support of Plaintiffs' Fees and Costs Motion.

3. The facts and background of this case are known to the Court and will not be repeated here.

4. As a result of Plaintiffs' efforts and Court Orders, between 700 and 800 Class members will receive WARN Act damages in an amount the Court will determine. Under Court rulings and based on Plaintiffs' most recent calculations, Class damages exceed \$2.7 Million.

5. Judgment for the Class is the culmination of over 1,000 hours of work (and counting) by Class Counsel from the four firms over more than three years. No Class members would have received any benefits without this Litigation.

6. **Exhibit A** consists of the resumes of SCDW attorneys who worked on this case, including John Stember, Esq.; Maureen Davidson-Welling, Esq.; and Vincent J. Mersich, Esq.

7. Litigation of a WARN Act class action case like this one requires counsel experienced in class actions and the specialized issues WARN Act cases present.

8. As reflected in their resumes, SCDW Attorneys Stember, Davidson-Welling, and Mersich have a great deal of experience litigating class actions, and they are familiar with class action and WARN Act jurisprudence.

9. Mr. Stember is a partner of Stember Cohn & Davidson-Welling, LLC, a union-side labor, ERISA, employee benefit, and employment law firm. He was Class Counsel in ERISA healthcare class actions for union retirees from some of America's largest corporations, including GM, Ford, Chrysler, American Standard, PPG, and General Tire. The automaker cases resulted in VEBAs that will provide healthcare to 750,000 UAW retirees over the next 75 years. He was counsel for the Arena Football Players Union and represents IATSE Local 820 at Pittsburgh's CBS and NPR affiliates. Mr. Stember has obtained four favorable decisions from the Pennsylvania Supreme Court in Unemployment Compensation cases and co-authored the PA Bar Institute's Unemployment Compensation Manual. He is an Adjunct Clinical Professor at the Pitt Law School, where he directs the Unemployment Compensation Practicum; and he is a

Chapter Editor of BNA's ERISA treatise, "Employee Benefits Law. He is a "Super Lawyer" and is in "Best Lawyers in America." He received his JD in 1976 from the University of Pittsburgh and has practiced for 46 years.

10. Maureen Davidson-Welling is a partner in Stember Cohn & Davidson-Welling, LLC. She graduated from the University of Pennsylvania Law School in 2007; and she is admitted to practice law before the Supreme Court of Pennsylvania, and the United States Courts of Appeals for the Third and Fourth Circuits. She was named a Pennsylvania Rising Star by Super Lawyers Magazine from 2013–2017. She has represented plaintiffs in multiple class actions, including in ERISA insurance/benefits cases, consumer class actions, FLSA cases, and public pension benefit cases. She was lead trial counsel in Schirnhof v. Premier Comp Solutions, 2:16-cv-00462 (W.D. Pa.); trial co-counsel in Robertson v. Hunter Panels, LLC, No. 13-1047 (W.D. Pa), in which the jury awarded \$13.5 Million in damages to SCDW's client; and trial co-counsel in Mikulan v. Allegheny Co., No. 15-cv-1007 (W.D. Pa), where the jury awarded plaintiff nearly \$900,000. She has argued successful appeals before the United States Courts of Appeals for the Third Circuit and Fourth Circuit.

11. Vincent J. Mersich is a former member of SCDW. After graduating from the University of Pittsburgh School of Law in 2008, he worked for a time at a prominent nationwide law firm based in San Francisco. In 2012, Mr. Mersich returned to Pittsburgh and began his own practice. In 2015, he became of counsel to SCDW and in 2020, he became a partner. In 2022, he returned to California to work for that state's Department of Industrial Relations. Mr. Mersich is a frequent speaker at conferences and Continuing Legal Education events on employment law matters.

12. SCDW Attorneys have rendered substantial legal services in the Litigation to date. Among other things, they have, alone or with co-counsel: (1) investigated the facts and law relating to these claims; (2) drafted well-pleaded Complaints, briefs, motions, and other submissions; (3) met and conferred with defense counsel pursuant to Rule 26(f), assisted in preparing a Rule 26(f) Report; (4) attended several Court conferences in-person; (5) prepared a mediation statement and attended mediation; (6) reviewed Defendants' discovery production, which comprised nearly 40,000 pages; (7) briefed and won class certification over Defendants' opposition; (8) briefed and obtained summary judgment on Plaintiffs' WARN Act claim and Defendants' affirmative defenses; (9) drafted and served interrogatories, requests for documents and admissions, and third-party subpoenas, and conferred on related objections; (10) maintained contact with Class representatives; (11) responded to Defendants' interrogatories, requests for documents and admissions, and defended Plaintiffs' depositions; (12) deposed defense witnesses; (13) calculated class damages and conferred on damages calculations with defense counsel; and (14) drafted the Class Notice.

13. Over the more than three-year course of this Litigation, Class Counsel has utilized the services of several law clerks to perform legal research and draft memoranda.

14. Spreadsheets showing contemporaneous time records for attorneys and law clerks, generated from SCDW's timekeeping software, are attached as **Exhibit B**. Before submitting this Declaration, the hours and tasks were reviewed and adjusted to ensure that time listed for each activity is commensurate with task performed, that is, Plaintiffs exercised "billing judgment."

15. After the exercise of billing judgment, the "lodestar" for attorneys and law clerks requested from inception through October 7, 2022, is \$326,852.00, summarized as follows:

Attorney/Law Clerk Timekeeper	Rate (\$/hr)	Value of Attorneys' Fees (\$)
John Stember, Esq.	\$495	\$ 12,672.00
Maureen Davidson-Welling, Esq.	\$400	\$ 231,280.00
Vincent J. Mersich, Esq.	\$400	\$ 76,800.00
Isaac W. Joseph	\$100	\$ 1,260.00
Marissa B. Levin	\$100	\$ 200.00
Zachary K Maddox	\$100	\$ 2,890.00
Nicholas Martiniano	\$100	\$ 1,750.00

36. Supporting affidavits filed with Plaintiffs' Fee Motion establish that the rates of \$495/hour and \$400/hour are appropriate in this market for attorneys at the level and with the experience of SCDW Attorneys Stember, Davidson-Welling, and Mersich (i.e., with 46, 15, and 14 years and class action experience) and that the requested rates are within the range of rates in this district.

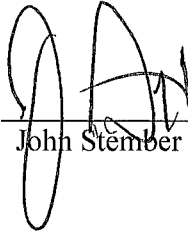
37. The total costs claimed by SCDW are \$14,945.47, as detailed in the spreadsheet attached as **Exhibit C**, and summarized below:

Cost Category	Amount
Copying	\$ 44.40
Court Fees	\$ 3,536.00
Depositions	\$ 4,872.27
Transcript	\$ 164.65
Westlaw	\$ 4,340.63
Process Servers	\$ 255.68
CPT Class Notice Admin. (50%)	\$ 1,515.50
PACER	\$ 56.42
Postage	\$ 125.92

* * *

I declare under penalty perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed this 11th day of October 2022



John Stember

EXHIBIT A

JOHN STEMBER, ESQUIRE

Stember Cohn & Davidson-Welling, LLC
The Hartley Rose Building
425 First Avenue, 7th Floor
Pittsburgh, PA 15219

T.: 412.338.1445
F.: 412.338.1446
jstember@stembercohn.com
www.stembercohn.com

EDUCATION

1972-1974
and
1975-1976

University of Pittsburgh School of Law
Pittsburgh, PA; J.D. May 1976
Graduated in top quarter of class

1968-1972

Ohio University
Athens, Ohio; BA 1972; Cum Laude
Cutler Fellow, Cutler College and Honors College

LEGAL BACKGROUND

May 2013 through
present

Stember Cohn & Davidson-Welling, LLC
The Hartley Rose Building, 425 First Avenue, 7th Floor
Pittsburgh, PA 15219

Founding partner of union-side labor/employment firm focusing on employee benefits, ERISA, sexual harassment, Title VII, employment contracts/non-competes, severance agreements, and unemployment compensation and Trade Restricted Act. Experienced in full range of labor and employment matters.

August 2007
through May 2013

Stember Feinstein Doyle Payne & Kravec, LLC
429 Forbes Avenue, Allegheny Building, 17th Floor
Pittsburgh, PA 15219

Founding partner of law firm concentrating in employment/labor matters, including ERISA, Title VII, employee benefits, National Labor Relations Board cases, Unemployment Compensation cases, and Union-side collective bargaining negotiations.

July 2003
through August 2007

Stember Feinstein
429 Forbes Avenue, 1705 Allegheny Building
Pittsburgh, PA 15219

Partner in law firm concentrating in employment/labor matters, including ERISA, Title VII, employee benefits, National Labor Relations Board cases, Unemployment Compensation cases, and Union-side collective bargaining negotiations.

September 1996
through July 2003

Law Offices of John Stember
429 Forbes Avenue, 1705 Allegheny Building
Pittsburgh, PA 15219

Sole proprietor concentrating in employment/labor matters, including ERISA, Title VII, employee benefits, National Labor Relations Board cases, Unemployment Compensation cases, and Union-side collective bargaining negotiations.

February 1995
through September 1996

Healey, Davidson & Hornack, PC
429 Fourth Avenue
Pittsburgh, PA 15219

Attorney in union-side labor law firm, focusing on employment/labor, including ERISA, National Labor Relations Board and Unemployment Compensation issues.

February 1980
through February 1995

Neighborhood Legal Services Association
928 Penn Avenue
Pittsburgh, PA 15222

Employment Law Coordinator for regional legal aid provider – Extensive litigation and agency practice; Title VII, Unemployment Compensation and Trade Readjustment Act.

August 1976
through January 1980

Neighborhood Legal Services Association
721 Braddock Avenue
Braddock, PA 15104

Staff Attorney – Concentrating in employment and consumer cases.

RELATED EXPERIENCE

2009
through present

Co-Chair, Collective Bargaining & Employee Benefits Subcommittee, of ABA Labor and Employment Law Section and Chapter Editor of Employee Benefits Law (BNA).

Co-Chair Committee in ABA section that focuses on employee benefits and assist in yearly update on Chapter on Collectively Bargained Employee Benefits in BN's," Employee Benefits Law."

2008
through present

Adjunct Professor, University of Pittsburgh School of Law Unemployment Compensation Practicum

Co-Director of UC Clinic at University of Pittsburgh School of Law. Instruction and supervision of law students who represent claimants in UC hearings and appeals.

January 1985
through present

Chair of Board, Mon Valley Unemployed Committee

Board Chair of non-profit organization serving dislocated workers in greater Pittsburgh Area.

September 2000
through 2005

Adjunct Professor, Duquesne University School of Law Unemployment Compensation Clinic

Clinical Professor of UC Clinic at Duquesne University School of Law

July 2001 through
September 2004

Executive Director, Community Justice Project

Part-time Executive Director of legal services organization engaged in class action and impact litigation for indigent clients in Pennsylvania.

June 1995
through January 1997

Board Member, Steel Valley Authority

Member of regional authority of eight municipalities created to promote industrial retention and generate jobs in Western Pennsylvania.

January 1984
through February 1995

Chairperson, Employment Law Taskforce

Founder of statewide legal-services group providing assistance to low income and dislocated workers.

1990
through 1996

President, ICLAW/UAW Local 2320

President of union representing Legal Services lawyers and staff.

May 1982
through June 1984

National Secretary NOLSW/UAW Local 2320

National Secretary of Union representing lawyers and legal services staff workers throughout United States.

SELECTED PUBLICATIONS

John Stember, *et al.*, Unemployment Compensation in Pennsylvania (Pennsylvania Bar Institute) (2018) (PBI No. 2018-10152).

John Stember, *et al.*, Employee Benefits Law Fourth Edition, Chapter Editor (Collectively Bargained Benefits) (Bloomberg BNA) (2018).

John Stember, *et al.*, Employee Benefits Law Third Edition, Chapter Editor (Collectively Bargained Benefits), 2013- 2016 Cumulative Supplements (Bloomberg BNA) (June 2013-2016) (ISBN 978-1-57018-936-4).

John Stember, *et al.*, Unemployment Compensation Manual (Pennsylvania Bar Institute) (2013) (PBI No. 2013-7485).

John Stember, *et al.*, Unemployment Compensation Manual (Pennsylvania Bar Institute) (2009) (PBI No. 2011-6647).

John Stember, William Payne, and Stephen Pincus, *Battling for Benefits* (AAJ Trial) (December 2005, Volume 41, No. 13).

SELECTED SPEAKING ENGAGEMENTS

“Unemployment Compensation.” Pennsylvania Bar Institute. Pittsburgh, Pennsylvania (April 20, 2018).

“Avoiding Legal Landmines When Screening Job Applicants.” Pennsylvania Bar Institute. Pittsburgh, Pennsylvania (April 20, 2016).

“Unemployment Compensation.” Pennsylvania Bar Institute. Pittsburgh, Pennsylvania (April 23, 2015).

“The Affordable Care Act: Where Are We Now?” Pennsylvania Bar Institute’s Employment Law Institute West. Pittsburgh, Pennsylvania (Nov. 13, 2014).

“Turning a Silk Purse into a Sow’s Ear: The Top Ten Ways Retaliation Claims Transform a Bad Case into a Payday.” Pennsylvania Bar Institute’s Employment Law Institute West. Pittsburgh, Pennsylvania (Nov. 14, 2013).

“ERISA Basics for Labor and Employment Lawyers.” Allegheny County Bar Association. Pittsburgh, Pennsylvania (Oct. 9, 2013).

“Unemployment Compensation.” Pennsylvania Bar Institute. Pittsburgh, Pennsylvania (April 9, 2013).

“EEOC Update 2012.” Pennsylvania Bar Institute. Pittsburgh, Pennsylvania (Nov. 7, 2012).

“Unemployment Compensation.” Pennsylvania Bar Institute. Pittsburgh, Pennsylvania (April 4, 2011).

“Trade Winds of Change: The Perils and Profits Associated with Contingent Workers.” American Bar Association. Section of Law and Employment Law – 2011 Midwinter Meeting Program of the Employment Rights and Responsibilities Committee. San Juan, Puerto Rico (Mar. 25, 2011).

“Collectively Bargained Plans.” American Bar Association Section of Law and Employment Law – 2009 Midwinter Meeting Program of the Employee Benefits Committee, Charleston, South Carolina (Feb. 21, 2009).

“Privacy in the Workplace: The Legal Aspects of Blogging, E-mail and Internet Use.” Pennsylvania Bar Institute’s Employment Law Institute West. Pittsburgh, Pennsylvania (Nov. 17-18, 2009).

“Unemployment Compensation.” Pennsylvania Bar Institute. Pittsburgh, Pennsylvania (April 17, 2009).

“Social and Economic Class and Other Class Diversity in the Workplace.” LaRoche College. Pittsburgh, Pennsylvania (Feb. 10, 2003).

REPRESENTATIVE CASES

Class Actions

ASARCO, Inc. v. United Steelworkers of Am., 2005 U.S. Dist. Lexis 20873 (D. Ariz. 2005) (retiree health benefits).

Chapman v. Program of Insurance, CA 3:04-cv-00062 (S.D.W. Va.) (retiree health benefits).

Covington v. Am. Standard, Inc., CA 93-2035 (W.D. Pa.) (retiree health benefits).

Crown Cork & Seal Co., Inc. v. United Steelworkers of Am., 2004 WL 117923 (W.D. Pa. 2004) (retiree health benefits).

Gritzer v. Westinghouse Elec. Corp., CA 98-2080 (W.D. Pa.) (Ambrose, J.) ERISA class action challenging denial of early retirement benefits on behalf of employees who previously worked for Westinghouse.

Hampe v. U.S. Dept. of Labor, CA 01-0622, (W.D. Pa.) (Cindrich, J.) Class action on behalf of dislocated union workers challenging denial of certain retraining benefits under the Trade Act.

Hayden v. Freightcar Am., Inc., 2008 WL 375762 (W.D. Pa. Jan. 11, 2008), ERISA class action resulting in a preliminary injunction and settlement ensuring payment of retirement benefits valued at approximately \$20 MM to railroad manufacturing employees laid off shortly before they attained pension eligibility.

IUE-CWA, et al. v. Gen. Motors Corp., No. 2:06-cv-12151-DPH-PJK (E.D. Mich.) (class certified 08-01-2006) Labor case

Lawhorn v. Crown Cork & Seal, CA 1:03-cv-00461-SSB-TSH (S.D. Ohio) (retiree health benefits).

Moore v. Rohm & Haas, Corp., 497 F.Supp.2d 855 (N.D. Ohio 2007) (denying motion to transfer venue in retiree health benefits suit), later proceedings, 2008 WL 4449407 (N.D. Ohio Sept. 30, 2008) (granting plaintiffs' motion for summary judgment).

Office & Prof'l Employees Int'l Union, Local No. 471 v. Brownsville Gen. Hosp., 186 F.3d 326 (3d Cir. 1999), 161 L.R.R.M. (BNA) 3057 (action to enforce arbitration award; doctrine of *functus officio* did not bar Union from seeking clarification of Arbitrator's award).

Pringle, et al. v. Cont'l Tire N. Am., Inc., 2007 WL 2236880 (N.D. Ohio July 31, 2007) (retiree health case).

Requa v. Regents of Univ. of California, No. A132778 (Cal. Ct. App. Dec. 31, 2012) (multiple causes of action pleaded in retiree health benefits suit).

Rexam, Inc. v. United Steelworkers of Am., 2003 WL 22477858 (D. Minn. 2003), later proceedings, 2005 WL 1260914 (D. Minn. 2005), 2005 WL 2318957 (D. Minn. 2005), 2006 WL 435985 (D. Minn. 2006), 2006 WL 2530384 (D. Minn. 2006), 2006 WL 3247139 (D. Minn. 2006) and 2008 WL 593702 (D. Minn. 2008).

Santos, et al. v. Alcan, Inc., et al., CA 3:05-cv-00149-CRB (N.D. Calif.)

Sullivan v. City of Pittsburgh, 811 F.2d 171(3d Cir. 1987) (successful §1983 class action by handicapped Plaintiffs challenging denial of zoning on constitutional grounds).

Theis, et al. v. Sunoco, Inc., CA 2:04-cv-00199-LPL (W.D. Pa.) (retiree health benefits).

United Auto Workers v. Chrysler LLC, 2008 WL 1701409 (E.D. Mich. 2008), later proceedings, 2008 WL 2980046 (E.D. Mich. 2008) and 2008 WL 4491401 (E.D. Mich. 2008) (retiree health benefits case for UAW retirees from Chrysler).

United Auto Workers v. Ford Motor Co., 2006 WL 1984363 (E.D. Mich. 2006), aff'd, 497 F.3d 615 (6th Cir. 2007), later proceedings, 2007 WL 4571648 (E.D. Mich. 2007) (retiree health case for UAW retirees from Ford).

United Auto Workers v. Ford Motor Co. (“Ford II”), 2007 WL 4571648 (E.D. Mich. 2007), later proceedings, 2008 WL 4104329 (E.D. Mich. 2008), 2008 WL 4449622 (E.D. Mich. 2008), 2009 WL 2424288 (E.D. Mich. 2009), 2009 WL 3757040 (E.D. Mich. 2009), 2009 WL 3757055 (E.D. Mich. 2009) (retiree health case).

United Auto Workers v. Gen. Motors Corp., 2006 WL 334283 (E.D. Mich. 2006), later proceedings, 2006 WL 891151 (E.D. Mich. 2006) and 235 F.R.D. 383 (E.D. Mich. 2006), aff'd, 497 F.3d 615 (6th Cir. 2007) (retiree health case for UAW retirees from GM).

United Auto Workers v. Gen. Motors Corp. (“GM II”), 2008 WL 2968408 (E.D. Mich. 2008) (retiree health case).

United Steelworkers of Am. v. Johnstown Am. Corp., et al., CA 2:02-cv-00806-RCM (W.D. Pa.) (Cindrich, J.) Class action on behalf of retired Steelworkers seeking reinstatement of terminated retiree health care.

Employment Cases

Robertson v. Hunter Panels, LLC, et al., No. 13-1047 (W.D. Pa.) (gender discrimination and retaliation case litigated through trial and resulting in jury verdict of \$13.4 MM).

Dillon v. Coles, 746 F.2d 998 (3d Cir. 1984) (appeals court affirmed ruling that exclusion of female from employment in male juvenile detention facility violated Title VII).

Spierling v. First Am. Home Health Servs., Inc., 737 A.2d 1250 (Pa. Super. 1999), 16 IER Cases 308 (wrongful discharge).

O’Mahoney v. Supercuts, et al., C.A. No. 2:97-cv-0569 (W.D. Pa. Aug. 5, 1997) (first Title VII same-sex harassment in W.D. Pa.).

Smaller Mfrs. Council v. Council of the City of Pittsburgh, 485 A.2d 73 (Pa. Commw. 1984), 117 L.R.R.M. 2828, 1 IER Cases 1354 (defended Pittsburgh plant closing ordinance against NLRA preemption challenge).

Office of Professional Management (“OPM”)

Lippman v. Office of Personnel Management, PH-O831-08-0212-I (MSPB May 7, 2008), a consolidated appeal of 158 individual cases before the Merit Systems Protection Board that resulted in recovery of \$15MM in retroactive benefits for a nationwide group of retired VA nurses.

Wigton v. Cobert, (CA No. 10-1768 (W.D. Pa.) Wigton v. Berry, 949 F. Supp. 2d 616 (W.D. Pa. 2013); Wigton v. Kaplan, No. 2:10-CV-01768, 2014 WL 4272791, at *1 (W.D. Pa. Aug. 29, 2014) (pension miscalculation case against OPM for class of retired VA nurses) (ongoing)

Union

United Elec., Radio & Mach. Workers of Am. v. Martin, (Court of Int’l Trade) 15 C.I.T. 299 (1991); 15 C.I.T. 121 (1991); 14 C.I.T. 818 (1990); 731 F.Supp. 108 (C.I.T. 1990); and 669 F.Supp 461 (C.I.T. 1987) (successful to challenge to U.S. Dept. of Labor’s denial of Union’s claim for Trade Adjustment Assistance on a number of grounds).

***Favorable Decisions from Pennsylvania Supreme Court
(Unemployment Compensation Cases)***

Cook v. UCBR, 671 A.2d 1130 (Pa. 1996) (appropriate standard for *non pro tunc* appeals)

Truitt v. UCBR, 589 A.2d 208 (Pa. 1991) (child care difficulties can be “good cause” for quitting)

Poola v. UCBR, 535 A.2d 97 (Pa. 1989) (allocation of vacation pay for financial eligibility)

Cugini v. UCBR, 512 A.2d 1169 (Pa. 1986) (allocation of severance pay for financial eligibility)

Selected Commonwealth Court Decisions

Lerch v. UCBR, 748 C.D. 2017 (Pa. Commw. Ct. 2018) (part-time self-employment income)

Ehman v. UCBR, 776 A.2d 1031 (Pa. Commw. Ct. 2001) (contribution to pension plan)

Ellis v. UCBR, 749 A.2d 1028 (Pa. Commw. Ct. 2000) (defining evidence needed to prove drug use)

Broadus v. UCBR, 721 A.2d 70 (Pa. Commw. Ct. 1998) (chain of custody in drug testing cases)

Fisher v. UCBR, 696 A.2d 895 (Pa. Commw. Ct. 1997) (standard for remand)

Praskac v. UCBR, 683 A.2d 329 (Pa. Commw. Ct. 1996) (allocation of vacation pay)

Masten v. UCBR, 557 A.2d 436 (Pa. Commw. Ct. 1989) (proper time period for TRA applications)

USX Corp. v. UCBR, 551 A.2d 389 (Pa. Commw. Ct. 1988) (allocation of back pay award)

Katz v. UCBR, 540 A.2d 624 (Pa. Commw. Ct. 1988) (school employees)

Univ. of Pittsburgh v. UCBR, 413 A.2d 51 (Pa. Commw. Ct. 1980) (hearsay and disciplinary records)

Coleman v. UCBR, 406 A. 2d 259 (Pa. Commw. Ct. 1979) (causation under Sec. 402(e))

Admitted to Practice

- Supreme Court of the United States
- Third Circuit Court of Appeals
- Fourth Circuit Court of Appeals
- Sixth Circuit Court of Appeals
- United States Court of Appeals for the Federal Circuit
- Supreme Court of Pennsylvania
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Southern District of Ohio
- U.S. District Court for the Western District of Pennsylvania
- U.S. District Court for the Eastern District of Tennessee
- U.S. District Court for the Western District of Tennessee
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the Western District of Wisconsin

Maureen Davidson-Welling, Esquire

Stember Cohn & Davidson-Welling, LLC
The Hartley Rose Building
425 First Avenue, 7th Floor
Pittsburgh, PA 15219

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F.: 412.338.1446
mdw@stembercohn.com
www.stembercohn.com

EDUCATION

University of Pennsylvania Law School, Philadelphia, PA. J.D. 2007

- Member, Journal of Law and Social Change
- Board Member, Unemployment Compensation Project

University of Toronto, Toronto, Canada. M.A. 2001

Department of Geography and Urban Planning

Johns Hopkins University, Baltimore, MD. B.A. 1999

Department of Geography and Environmental Engineering

EXPERIENCE

Stember Cohn & Davidson-Welling, LLC, Pittsburgh, PA. May 2013 – present

- Member of union-side labor/employment firm focusing on employee benefits, ERISA, sexual harassment, Title VII, employment contracts/non-competes, severance agreements, unemployment compensation, and wage and hour matters.

Stember Feinstein Doyle Payne & Kravec, LLC, Pittsburgh, PA. Oct. 2007 – May 2013

- Associate in a firm representing employees, insureds, consumers, and ERISA pension plan participants in class actions, and representing workers in discrimination, breach of contract, and other individual employment matters.

Community Legal Services, Philadelphia, PA. Summer 2006

- Summer Associate. Performed research and assisted in representation of employees in employment discrimination, pension benefits, and wage payment matters.

RELATED EXPERIENCE

2017 to present — Board Member of the Community Justice Project

2016 to present — Council Member, ACBA Labor and Employment Law Section

REPRESENTATIVE CASES

Yost v. First Horizon Nat. Corp., 2011 WL 2182262 (W.D. Tenn. June 3, 2011) (conditionally granting in part and denying in part motion to certify ERISA claims; 2012 WL 12292244 (W.D. Tenn. Sept. 13, 2012) (approving class settlement).

Zeisel v. Diamond Foods, Inc., 2011 WL 2221113 (N.D. Cal. June 7, 2011) (granting motion for class certification of consumer claims).

Ubaldi v. SLM Corp., 2013 WL 4015776 (Aug. 5, 2013) (consumer class action).

Otey v. Crowdflower, Inc., 2013 WL 5734146 (Oct. 22, 2013) (FLSA class action).

Wigton v. Berry, 2014 WL 4272791 (Aug. 29, 2014) (denying motion to dismiss and finding subject matter jurisdiction in class action for retirement benefits against the Office of Personnel Management (“OPM”), and granting motion for class certification); 949 F. Supp. 2d 616 (W.D. Pa. 2013); 2017 WL 1449789 (W.D. Pa. Apr. 21, 2017) (granting summary judgment to certified class on Equal Protection); 782 F. App’x 207 (3d Cir. 2019); 2022 WL 796922 (W.D.Pa. Mar. 16, 2022) (granting All Writs injunction to certified class).

Robertson v. Hunter Panels, LLC, No. 13-1047 (W.D. Pa.) (gender discrimination and retaliation case litigated through trial and resulting in jury verdict of \$13.4 MM).

Mikulan v. Allegheny County, No. 15-01007 (W.D. Pa.) (age discrimination case litigated through trial and resulting in jury verdict of \$1.15M).

ADMITTED TO PRACTICE

- United States Court of Appeals for the Third Circuit
- United States Court of Appeals for the Fourth Circuit
- United States District Court for the Western District of Pennsylvania
- United States District Court for the Western District of Tennessee
- Pennsylvania Supreme Court

Vincent J. Mersich, Esquire

Stember Cohn & Davidson-Welling, LLC
The Hartley Rose Building
425 First Avenue, 7th Floor
Pittsburgh, PA 15219

T.: 412.338.1445
F.: 412.338.1446
vmersich@stembercohn.com
www.stembercohn.com

EDUCATION

UNIVERSITY OF PITTSBURGH SCHOOL OF LAW, Pittsburgh, PA

J.D., May 2008, GPA: 3.35

Honors: Dean's Scholarship

Activities: Executive Editor, *Journal of Technology Law & Policy*
LRAP Coordinator, Pitt Legal Income Sharing Foundation

TULANE UNIVERSITY, New Orleans, LA

PhD Program in Philosophy, Politics, & Economics, 2004-2005

Honors: Full Scholarship and University Fellowship

PENNSYLVANIA STATE UNIVERSITY, University Park, PA

B.A. in Philosophy, May 2003, GPA: 3.6

Honors: University Scholarship, Dean's List

Activities: President, Philosophy Club

LEGAL EMPLOYMENT

Stember Cohn & Davidson-Welling, LLC, Pittsburgh, PA

Of Counsel, 2015 – Present (*licensed in PA and CA state and federal courts*)

Of Counsel to union-side labor/employment firm focusing on employee benefits, ERISA, sexual harassment, Title VII, employment contracts/non-competes, severance agreements, unemployment compensation, and wage and hour matters.

Law Office of Vincent J. Mersich, Pittsburgh, PA

Principal, 2012 – Present (*licensed in PA and CA state and federal courts*)

Represented Plaintiffs in individual, class and collective actions arising under state and federal employment and employee benefit laws.

LITTLER MENDELSON, PC, San Francisco, CA / Pittsburgh, PA

Associate, 2008 – 2012

Associate at employer-side firm focused on defending employment and employee benefits litigation, including individual, multi-plaintiff and class action claims arising under state and federal labor and employment laws.

REPRESENTATIVE CASES

- Lorch v. First National Bank of Pennsylvania NP, 2:2013-cv-00894 (W.D. Pa.) (judgment for plaintiffs on collective action asserting overtime claims)

ADMITTED TO PRACTICE

- United States District Court for the Western District of Pennsylvania
- United States District Court for the Northern District of California
- United States District Court for the Central District of California
- California Supreme Court
- Pennsylvania Supreme Court

EXHIBIT B

STEMBER COHN + DAVIDSON-WELLING, LLC

FEES SUMMARY

Date	Timekeeper	Duration	Rate	Amount	Description
9/4/2019	Davidson-Welling, Maureen	0.70	\$ 400.00	\$ 280.00	Participating in consultation with potential K. Reed
9/5/2019	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Conferring with V. Mersich re WARN act defenses and drafting complaint
9/6/2019	Davidson-Welling, Maureen	1.00	\$ 400.00	\$ 400.00	Conferring with J. Stember (.3) / Conferring with V. Mersich (.4) / Editing and revising draft complaint and emailing to V. Mersich and J. Stember (.3)
9/7/2019	Davidson-Welling, Maureen	0.60	\$ 400.00	\$ 240.00	Working on editing complaint (3.3) / Conferring with J. Stember and V. Mersich by telephone (.3)
10/24/2019	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Conferring with V. Mersich re discovery tasks and communications to plaintiffs
11/27/2019	Davidson-Welling, Maureen	0.30	\$ 400.00	\$ 120.00	Editing draft letter to plaintiffs and sending to J. Stember for revisions/comments
12/4/2019	Davidson-Welling, Maureen	1.30	\$ 400.00	\$ 520.00	Conferring with V. Mersich re Rule 26(f) Conference agenda (.3) / Rule 26(f) conference with all counsel (1.0)
12/19/2019	Davidson-Welling, Maureen	0.40	\$ 400.00	\$ 160.00	Editing and revising draft Initial Disclosures and emailing them to V. Mersich
4/16/2020	Davidson-Welling, Maureen	1.30	\$ 400.00	\$ 520.00	TC with V. Mersich in preparation for discovery call with defense counsel on RFP responses (.2) / Conf. call with co-counsel and defense counsel re discovery responses, mediation, etc. (.8) / Follow-up TC with V. Mersich and T. Cogan (.2) / Sending notes of discovery call by email to V. Mersich (.1)
4/29/2020	Davidson-Welling, Maureen	0.40	\$ 400.00	\$ 160.00	Analyzing draft motion on mediation and providing comments to V. Mersich
5/1/2020	Davidson-Welling, Maureen	0.30	\$ 400.00	\$ 120.00	Analyzing docs and responding to emails re revisions to stipulated protective order
6/18/2020	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Analyzing emails re scheduling mediation
7/21/2020	Davidson-Welling, Maureen	0.70	\$ 400.00	\$ 280.00	Emails with V. Mersich re mediation, case schedule, and discovery (.2) / TC with V. Mersich re case schedule and discovery (.5)
7/22/2020	Davidson-Welling, Maureen	0.10	\$ 400.00	\$ 40.00	Analyzing emails re mediation
7/29/2020	Davidson-Welling, Maureen	0.80	\$ 400.00	\$ 320.00	Conferring with J. Stember and V. Mersich re motion to stay
7/31/2020	Davidson-Welling, Maureen	0.90	\$ 400.00	\$ 360.00	TC with V. Mersich and J. Stember re consolidation motion (.2) / TCs with co-counsel and other Plaintiffs counsel re consolidation motion (.5) / TC with V. Mersich and defense counsel Chelsea re mediation stipulation (.2)
8/7/2020	Davidson-Welling, Maureen	0.50	\$ 400.00	\$ 200.00	Participating in phone call with co-counsel (.3) / Analyzing and responding to emails re consolidation and related communications with other Plaintiffs counsel and defense counsel (.2)
9/16/2020	Davidson-Welling, Maureen	1.10	\$ 400.00	\$ 440.00	TC with co-counsel going over and assigning case tasks in advance of upcoming mediation
9/21/2020	Davidson-Welling, Maureen	0.50	\$ 400.00	\$ 200.00	Analyzing damages calculations and responding by email with comments to V. Mersich re damages calculation
10/1/2020	Davidson-Welling, Maureen	0.50	\$ 400.00	\$ 200.00	Editing draft letter to Plaintiffs with updates and circulating to V. Mersich and J. Stember by email
10/2/2020	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Emails with V. Mersich and other co-counsel re letter to Plaintiffs
10/5/2020	Davidson-Welling, Maureen	1.50	\$ 400.00	\$ 600.00	Conferring with co-counsel re mediation preparations (1.0) / TC with Plaintiffs Uloom, Buffy and Reed re mediation (.5)
10/6/2020	Davidson-Welling, Maureen	3.00	\$ 400.00	\$ 1,200.00	Participating in remote mediation with Mediator David White (2.8) / Writing note to file on mediation offers (.2)

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Date	Timekeeper	Duration	Rate	Amount	Description
1/15/2021	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Analyzing scheduling order and document index
1/26/2021	Davidson-Welling, Maureen	0.90	\$ 400.00	\$ 360.00	Emails with V. Mersich re case planning (.1) / Discovery planning TC with V. Mersich (.6) / Preparing file note (.2)
1/27/2021	Davidson-Welling, Maureen	0.10	\$ 400.00	\$ 40.00	Conferring with J. Stember (.1)
2/11/2021	Davidson-Welling, Maureen	4.50	\$ 400.00	\$ 1,800.00	Working on document index
2/15/2021	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Conferring with J. Stember (.1) / Correspondence with V. Mersich re expert issue (.1)
2/16/2021	Davidson-Welling, Maureen	0.50	\$ 400.00	\$ 200.00	Analyzing email from T. Cogan (.1) / TC with V. Mersich re experts and damages documentation (.4)
2/18/2021	Davidson-Welling, Maureen	4.70	\$ 400.00	\$ 1,880.00	Working on drafting First Set of Interrogatories
2/22/2021	Davidson-Welling, Maureen	1.20	\$ 400.00	\$ 480.00	Emails with V. Mersich (.2) / Emails with co-counsel re revisions and service of First Interrogatories (.2) / Editing First Set of Interrogatories (.5) / Editing statement re expert disclosures (.3) / Emailing co-counsel re expert disclosures statement (.1)
2/24/2021	Davidson-Welling, Maureen	1.70	\$ 400.00	\$ 680.00	Working on supplemental discovery and follow-up conferral email to defense counsel
2/25/2021	Davidson-Welling, Maureen	2.50	\$ 400.00	\$ 1,000.00	Completing draft supplemental discovery conferral email and circulating to J. Stember and V. Mersich for comments (2.4) / Responding to email from V. Mersich with comments on draft letter (.1)
2/26/2021	Davidson-Welling, Maureen	0.10	\$ 400.00	\$ 40.00	TC with J. Stember re discovery letter
3/1/2021	Davidson-Welling, Maureen	4.30	\$ 400.00	\$ 1,720.00	Working on analyzing Defs' discovery documents and drafting follow-up discovery
3/2/2021	Davidson-Welling, Maureen	2.40	\$ 400.00	\$ 960.00	Analyzing Defs' discover documents, updating document index and drafting follow-up RFPs
3/4/2021	Davidson-Welling, Maureen	2.50	\$ 400.00	\$ 1,000.00	Working on follow-up discovery planning
3/5/2021	Davidson-Welling, Maureen	5.30	\$ 400.00	\$ 2,120.00	Analyzing V. Mersich's comments on discover email (.1) / Sending response email to defense counsel on discovery matters (.1) / Assigning research on exception to attorney client privilege for business advice to N. Martiniano (.3) / TC with V. Mersich re 2nd RFPs and subpoenas to 3rd parties (.3) / Emailing T. Cogan re document index and RFPs (.2) / Finishing draft 2nd RFPs to AHS and AHSW and emailing to V. Mersich (1.7) / Drafting and sending email to co-counsel re drafting 3rd party subpoenas and summarizing related info (.4) / Analyzing revised FRCP 30 re changes to 30b6 deposition notice requirements (.2) / Editing draft RFPs based on comments from V. Mersich and emailing draft RFPs to other co-counsel for review (2)
3/8/2021	Davidson-Welling, Maureen	0.60	\$ 400.00	\$ 240.00	Editing and sending draft 2nd RFPs to T. Cogan for service with comments (.5) / Analyzing emails re 2nd RFPs and service (.1)
3/9/2021	Davidson-Welling, Maureen	2.70	\$ 400.00	\$ 1,080.00	Analyzing rules and investigating facts to obtain information needed to prepare third party subpoenas to JB Dev, MPT entities, and AHSOV entity, and emailing information to co-counsel B Pomponio (2.3) / Follow-up TC with B. Pomponio re question re 3rd party subpoena preparation and strategy and class cert hearing planning (.4)
3/15/2021	Davidson-Welling, Maureen	1.30	\$ 400.00	\$ 520.00	Analyzing privilege log (.3) / Conferring with V. Mersich re deficiencies in privilege log produced by Defendants and task planning (.5) / Working on subpoenas to MPT, AHSOV and DBev (.50)
3/24/2021	Davidson-Welling, Maureen	0.60	\$ 400.00	\$ 240.00	Conferring with V. Mersich re getting plaintiff declarations for class cert motion and discovery issues and follow-up emails with V. Mersich re same

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Date	Timekeeper	Duration	Rate	Amount	Description
3/25/2021	Davidson-Welling, Maureen	0.30	\$ 400.00	\$ 120.00	Analyzing Defs' interrogatory responses
3/29/2021	Davidson-Welling, Maureen	0.80	\$ 400.00	\$ 320.00	TC with defense counsel and co-counsel re discovery deficiencies and scheduling
3/31/2021	Davidson-Welling, Maureen	0.50	\$ 400.00	\$ 200.00	Editing draft joint motion for extension of discovery and other deadlines and sending to V. Mersich
4/2/2021	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Analyzing objections to subpoena to MPT
4/6/2021	Davidson-Welling, Maureen	0.90	\$ 400.00	\$ 360.00	Preparation for and TC with V. Mersich re discovery items and issues and class cert filings (.3) / TC with B. Pomponio and V. Mersich discussing strategy for addressing objections and delayed responses to 3 PM subpoenas to MPT, AHSOV and JBDev (.6)
4/7/2021	Davidson-Welling, Maureen	0.10	\$ 400.00	\$ 40.00	Email re scheduling call with MPT counsel re MPT subpoena
4/8/2021	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Analyzing and exchanging emails re scheduling conference on issues with third party subpoena to AHSOV
4/11/2021	Davidson-Welling, Maureen	0.10	\$ 400.00	\$ 40.00	Emails re discovery issues
4/13/2021	Davidson-Welling, Maureen	0.30	\$ 400.00	\$ 120.00	Analyzing and responding to emails re calls on discovery disputes and subpoenas to third parties
4/15/2021	Davidson-Welling, Maureen	0.40	\$ 400.00	\$ 160.00	Analyzing discovery production (.2) / Conferring with V. Mersich re letter from K. Carr on discovery issues (.2)
4/19/2021	Davidson-Welling, Maureen	0.80	\$ 400.00	\$ 320.00	TC with Baker Donnelson attorneys on MPT Subpoena objections (.5) / Follow-up conferring with V. Mersich re conference call with MPT attorneys (.3)
4/27/2021	Davidson-Welling, Maureen	6.50	\$ 400.00	\$ 2,600.00	Analyzing Defs' discovery productions and working on index of production (5.3) / TCs with V. Mersich discussing state of discovery and task assignments (1.2)
5/4/2021	Davidson-Welling, Maureen	0.50	\$ 400.00	\$ 200.00	Analyzing emails re third party subpoenas (.2) / Email to defense counsel (.1) / Email with co-counsel re scheduling phone call to go over outstanding discovery and case tasks (.2)
5/6/2021	Davidson-Welling, Maureen	1.10	\$ 400.00	\$ 440.00	Conferring with V. Mersich re discovery (.5) / Conf. call with V. Mersich and B. Pomponio re outstanding discovery and case tasks and assigning work (.6)
5/17/2021	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Emails and TCs re scheduling discovery deficiency conference on AHS and AHSW productions and admissions
5/18/2021	Davidson-Welling, Maureen	0.80	\$ 400.00	\$ 320.00	TC with V. Mersich in prep for TC with defense counsel re discovery disputes (.2) / TC with defense counsel re AHS and AHSW deficiencies in productions in response to 1st and 2nd RFPs (.6)
5/20/2021	Davidson-Welling, Maureen	1.50	\$ 400.00	\$ 600.00	Analyzing Defs' most recent doc production and related emails with co-counsel setting time to talk about production (.5) / Conf. call with co-counsel re document production, deficiency conferrals and motion to compel (1.0)
5/21/2021	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Analyzing draft motion to compel and providing comments to B. Pomponio via email
6/9/2021	Davidson-Welling, Maureen	1.10	\$ 400.00	\$ 440.00	Analyzing case correspondence and preparing and sending email to co-counsel V. Mersich and B. Pomponio going over status of various case tasks, assigning new work, identifying additional issues and research needs
6/10/2021	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Analyzing email from B. Pomponio re discovery and other outstanding issues

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Date	Timekeeper	Duration	Rate	Amount	Description
6/15/2021	Davidson-Welling, Maureen	1.70	\$ 400.00	\$ 680.00	Participating in conference call with 3rd party MPT counsel re additional production based on subpoena (.3) / Follow-up telephone call with B Pomponio re case tasks and planning (.5) / drafting email and sending to co-counsel discussing case strategy and delays in Defs' ESI production with proposed correspondence to Defs (.9)
6/16/2021	Davidson-Welling, Maureen	0.80	\$ 400.00	\$ 320.00	Emails with B. Pomponio re motion to compel (.2) / Emailing with V. Mersich re revisions to draft correspondence to Defs re production delays (.2) / Analyzing research memo re voluntary separations under WARN act and offsets to damages (.4)
6/17/2021	Davidson-Welling, Maureen	1.80	\$ 400.00	\$ 720.00	Conferring re WARN act research on what constitutes voluntary separation (.5) / forwarding research memo to V. Mersich (.1) / analyzing documents and working on revisions to draft memorandum in support of class certification (1.3)
6/28/2021	Davidson-Welling, Maureen	3.70	\$ 400.00	\$ 1,480.00	Westlaw research on class certification of WARN act claims (2.3) / Working on revising draft class cert memo and drafting appendix in support of class certification (1.2) / Emails re ESI disputes (.2)
6/30/2021	Davidson-Welling, Maureen	1.50	\$ 400.00	\$ 600.00	Analyzing and providing feedback on draft discovery call agenda and ESI search terms and predictive coding to V. Mersich (.8) / Conf. Call with defense counsel re supplemental ESI search (.7)
8/26/2021	Davidson-Welling, Maureen	0.30	\$ 400.00	\$ 120.00	Conferring with V. Mersich and providing comments on draft email to opposing counsel re ESI search and related disputes (.2) / Analyzing response emails from opposing counsel (.1)
9/22/2021	Davidson-Welling, Maureen	0.50	\$ 400.00	\$ 200.00	Analyzing documents recently produced
9/23/2021	Davidson-Welling, Maureen	0.30	\$ 400.00	\$ 120.00	Conferring with V. Mersich re class certification declarations (.2) / Email to V. Mersich (.1)
9/24/2021	Davidson-Welling, Maureen	1.50	\$ 400.00	\$ 600.00	Reviewing recently produced documents and indexing them in preparation for updating draft class certification motion
9/27/2021	Davidson-Welling, Maureen	3.20	\$ 400.00	\$ 1,280.00	Analyzing and indexing recently produced
9/29/2021	Davidson-Welling, Maureen	4.80	\$ 400.00	\$ 1,920.00	Conferring with J. Cohn (.2) / Analyzing docs recently produced by defendants through TAR process (4.3) / Conferring with V. Mersich re case issues and document review (.3)
11/3/2021	Davidson-Welling, Maureen	3.60	\$ 400.00	\$ 1,440.00	Analyzing documents recently produced by Defendants and updating document index (3.5) / Emailing T. Schaeffer re problem in Def's discovery production files as 700 pages missing (.1)
11/4/2021	Davidson-Welling, Maureen	2.00	\$ 400.00	\$ 800.00	Analyzing more Defendants' discovery files
11/5/2021	Davidson-Welling, Maureen	0.90	\$ 400.00	\$ 360.00	Analyzing Defendants' discovery production documents
11/15/2021	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Analyzing email from B. Pomponio re conferring on case (.1) / Checking deadlines (.1)
11/17/2021	Davidson-Welling, Maureen	2.00	\$ 400.00	\$ 800.00	Indexing Defendants' discovery document production
11/18/2021	Davidson-Welling, Maureen	8.20	\$ 400.00	\$ 3,280.00	Analyzing and indexing Defendants' document production (7.3) / TC conferring with B. Pomponio and V. Mersich re discovery and depositions (.4) / Conferring with V. Mersich re discovery and content of Defendants' document production (.5)
11/19/2021	Davidson-Welling, Maureen	6.90	\$ 400.00	\$ 2,760.00	Analyzing and providing comments to V. Mersich on deposition notices and subpoena issues (.3) / Indexing Defendants' discovery document production (6.6)

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Date	Timekeeper	Duration	Rate	Amount	Description
11/22/2021	Davidson-Welling, Maureen	6.80	\$ 400.00	\$ 2,720.00	Analyzing documents and indexing Defendants' discovery document production (5.0) / Looking up FRCP 30(b)(6) Rule and editing and revising draft 30b6 deposition notice for AHS and emailing to co-counsel with comments (1.3) / Emails and phone calls re finalizing deposition notices, subpoenas, filing certs of service for Notices of Deposition (.5)
11/23/2021	Davidson-Welling, Maureen	4.70	\$ 400.00	\$ 1,880.00	Analyzing and indexing Defendants' discovery production
11/24/2021	Davidson-Welling, Maureen	0.30	\$ 400.00	\$ 120.00	Emails with co-counsel re depositions scheduling and updates
11/28/2021	Davidson-Welling, Maureen	0.10	\$ 400.00	\$ 40.00	Emails with V. Mersich re discovery and deposition scheduling
11/29/2021	Davidson-Welling, Maureen	0.40	\$ 400.00	\$ 160.00	Analyzing emails from defense counsel re discovery and depositions (.2) / Conferring with V. Mersich re communications from defense counsel (.1) / Providing feedback to V. Mersich re draft email (.1)
12/9/2021	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Emails and conferring with V. Mersich re RFPs and RFAs to Plaintiffs
12/10/2021	Davidson-Welling, Maureen	0.10	\$ 400.00	\$ 40.00	Responding to emails re discovery issues
12/13/2021	Davidson-Welling, Maureen	1.50	\$ 400.00	\$ 600.00	Emails re named plaintiffs (.2) / Revising draft class certification memo and analyzing document production for supporting documents and drafting appendix list of exhibits (1.3)
12/14/2021	Davidson-Welling, Maureen	3.10	\$ 400.00	\$ 1,240.00	Analyzing Def's discovery production and working on class certification memorandum and appendix of exhibits
12/15/2021	Davidson-Welling, Maureen	0.40	\$ 400.00	\$ 160.00	Analyzing court order on scheduling (.1) / Emails re scheduling depositions (.1) / Conferring with V. Mersich re privilege log recently produced by defendants (.2)
1/3/2022	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Conferring with V. Mersich re reaching out to Plaintiffs re discovery requests
1/4/2022	Davidson-Welling, Maureen	3.90	\$ 400.00	\$ 1,560.00	Conferring with V. Mersich re communications with clients re responding to RFPs, Interrogatories and RFAs (.3) / Analyzing discovery requests served on Plaintiffs in preparation for communicating with Plaintiffs (.4) / Analyzing and indexing most recently produced documents from Defendants (3.2)
1/6/2022	Davidson-Welling, Maureen	5.30	\$ 400.00	\$ 2,120.00	Working on analyzing privilege log and related Internet investigation of legal objections to challenge privilege claims
1/7/2022	Davidson-Welling, Maureen	1.70	\$ 400.00	\$ 680.00	TC with V. Mersich and Plaintiffs re discovery responses (1.7)
1/10/2022	Davidson-Welling, Maureen	2.10	\$ 400.00	\$ 840.00	Follow up email to V. Mersich further communications with named plaintiffs re getting information to answer interrogatories and responding to document requests (.1) / TC with V. Mersich and Plaintiff Keith Reed re discovery responses (2.0)
1/12/2022	Davidson-Welling, Maureen	0.40	\$ 400.00	\$ 160.00	Assigning additional work on combining notes and indexing of documents to T. DeMarco (.1) / Emails with co-counsel re handling of discovery responses for Named Plaintiffs (.3)
1/13/2022	Davidson-Welling, Maureen	0.40	\$ 400.00	\$ 160.00	Analyzing notes on hot documents and document production and related conferring with T. DeMarco
1/14/2022	Davidson-Welling, Maureen	2.00	\$ 400.00	\$ 800.00	TC with V. Mersich and plaintiff to go over requests for interrogatories, RFPs, and RFAs with her (1.8) / Follow-up conferring with V. Mersich re next steps on communications with Plaintiffs re preparing discovery responses (.2)
1/18/2022	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Editing draft follow-up emails to Plaintiffs E. Wines and K. Reed re RFP responses

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Date	Timekeeper	Duration	Rate	Amount	Description
1/19/2022	Davidson-Welling, Maureen	1.10	\$ 400.00	\$ 440.00	TC with Mark Garan going over interrogatory questions (1.0) / TC with V. Mersich leaving vmail for Buffy Schenkel re RFP requests (.1)
1/22/2022	Davidson-Welling, Maureen	1.50	\$ 400.00	\$ 600.00	Working on interrogatory answers and objections for Plaintiffs
1/24/2022	Davidson-Welling, Maureen	2.30	\$ 400.00	\$ 920.00	Analyzing damages docs and working on responses objections to interrogatories, RFPs and RFAs to Named Plaintiffs (2.0) / TC with E. Schenkel re status of collection of documents (.2) / Email from K. Reed re collection of documents (.1)
2/2/2022	Davidson-Welling, Maureen	7.10	\$ 400.00	\$ 2,840.00	Westlaw research on damages under WARN Act (1.6) / TC with Plaintiff Mark Garan re information for discovery responses (.7) / Preparing responses to interrogatories, RFPs, and RFAs to Named Plaintiff Mark Garan and emailing them to M. Garan with Verification form (2.5)
2/3/2022	Davidson-Welling, Maureen	8.00	\$ 400.00	\$ 3,200.00	TC with E. Wines re responses to document requests and information for interrogatories and admissions (1.0) / Working on objections and responses to interrogatories, RFAs and RFPs to L. Dolence and Wines (6.2) / TC with plaintiff K. Reed re discovery responses (.3) / TC with plaintiff E. Schenkel re discovery responses (.3) / TCs and texts leaving messages for L. Dolence (.2)
2/4/2022	Davidson-Welling, Maureen	9.00	\$ 400.00	\$ 3,600.00	Working on responses to RFPs, interrogatories and RFAs to Plaintiff K. Reed and emailing to client for review (4.2) / Emails with Plaintiff K. Reed (.1) / Analyzing email from Plaintiff E. Wines re verification of discovery (.1) / Working on responses to RFPs, Interrogatories, and RFAs to Plaintiff E. Schenkel and emailing to client for review (1.3) / Conferring with J. Stember re info for Named Plaintiff L. Dolence (.2) / Preparing and revising letter to L. Dolence (.7) / Working on responses to discovery requests to Plaintiff E. Schenkel and emailing draft discovery responses to her (2.4)
2/6/2022	Davidson-Welling, Maureen	4.70	\$ 400.00	\$ 1,880.00	TC with Plaintiff Lisa Dolence going over document requests and draft interrogatory answers and sending follow-up emails (.9) / Working on responses to Interrogatories, RFPs, and RFAs and revisions to responses for Plaintiffs (3.8)
2/7/2022	Davidson-Welling, Maureen	7.70	\$ 400.00	\$ 3,080.00	TC with E. Schenkel going over and finalizing discovery responses and re-sending verification form to client (.9) / TC with B. Pomponio re questions re admissions to Plaintiffs (.5) / Working on Certificate of Service, revisions and finalizing responses to Interrogatories, RFPs, and RFAs for named plaintiffs and beginning work on organizing documents for production (6.3)
2/14/2022	Davidson-Welling, Maureen	4.80	\$ 400.00	\$ 1,920.00	TC with co-counsel re planning of case (.5) / Follow up email with comments and half-completed draft of 30(B)(6) notice to AHS (.2) / Going over documents and redactions for production of documents by K. Reed, E. Schenkel, E. Wines, M. Garan, and L. Dolence in response to Def's RFPs (3.9) / Final revisions to cover letter to accompany document production (.2)
2/16/2022	Davidson-Welling, Maureen	2.00	\$ 400.00	\$ 800.00	Working on class certification declaration for E. Wines (.8) / Analyzing documents and drafting email to defense counsel on objections to 3rd RFPs and conferring re draft email with B. Pomponio, then sending email (.1.2)
2/17/2022	Davidson-Welling, Maureen	2.10	\$ 400.00	\$ 840.00	Analyzing new documents produced by Defs and making notes

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Date	Timekeeper	Duration	Rate	Amount	Description
2/18/2022	Davidson-Welling, Maureen	4.70	\$ 400.00	\$ 1,880.00	Analyzing and partially indexing additional documents produced by Defs (2.0) / Analyzing WARN Act statute and regulations and Plaintiffs' interrogatory answers and preparing draft class cert declarations for E. Wines and M. Garan and conferring with J. Stember, and then sending revised declarations to co-counsel B. Pomponio and L. Davidson for feedback (2.7)
3/9/2022	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	TC with L. Davidson re class certification filings
3/11/2022	Davidson-Welling, Maureen	1.80	\$ 400.00	\$ 720.00	TC with K. Reed going over class cert declaration and then sending to him to review and sign (.3) / TC with E. Schenkel going over class cert declaration and sending to client to review and sign (.3) / Working on class certification motion and exhibits (1.0) / Follow-up email with B. Pomponio and L. Davidson re status of pulling together class certification filings (.2)
3/12/2022	Davidson-Welling, Maureen	0.60	\$ 400.00	\$ 240.00	TC with M. Garan going over class cert declaration and then sending him declaration to review and sign (.3) / TC with E. Wines going over class cert declaration and then sending him declaration to review and sign (.3)
3/18/2022	Davidson-Welling, Maureen	7.20	\$ 400.00	\$ 2,880.00	Working on class certification brief (6.8) / Analyzing new documents produced by Defendants (.3)
3/19/2022	Davidson-Welling, Maureen	2.30	\$ 400.00	\$ 920.00	Working on class certification brief
3/21/2022	Davidson-Welling, Maureen	1.60	\$ 400.00	\$ 640.00	Working on class certification brief
3/24/2022	Davidson-Welling, Maureen	5.00	\$ 400.00	\$ 2,000.00	Working on class certification brief
3/25/2022	Davidson-Welling, Maureen	7.00	\$ 400.00	\$ 2,800.00	Analyzing record and working on class certification facts
3/26/2022	Davidson-Welling, Maureen	6.00	\$ 400.00	\$ 2,400.00	Analyzing record and wage data and working on class certification facts
3/27/2022	Davidson-Welling, Maureen	4.50	\$ 400.00	\$ 1,800.00	Analyzing record and wage and payment data and working on class certification facts
3/28/2022	Davidson-Welling, Maureen	8.00	\$ 400.00	\$ 3,200.00	Working on class certification brief and appendix and record cites
3/29/2022	Davidson-Welling, Maureen	7.80	\$ 400.00	\$ 3,120.00	Working on class certification brief and related Westlaw research on trial plan for brief and appendix
3/30/2022	Davidson-Welling, Maureen	9.20	\$ 400.00	\$ 3,680.00	Finishing first draft of class cert brief and emailing to J. Stember for comments and emailing draft appendix to T. Schaeffer and conferring with T. Schaeffer re exhibits for appendix in support of class certification
4/1/2022	Davidson-Welling, Maureen	4.20	\$ 400.00	\$ 1,680.00	Preparing spreadsheet organizing class member data for analysis (3.0) / TC with B. Pomponio re noticing depositions, class cert definition and supporting data, and privilege log (.9) / Sending follow-up emails to B. Pomponio with correspondence and information for 30b6 depo notices (.3)
4/4/2022	Davidson-Welling, Maureen	2.70	\$ 400.00	\$ 1,080.00	Going through 450+ privilege log entries to identify deficiencies
4/5/2022	Davidson-Welling, Maureen	6.80	\$ 400.00	\$ 2,720.00	Westlaw research and drafting letter on privilege log deficiencies and emailing to co-counsel for comment and then finalizing and sending to T. Schaefer to send out
4/6/2022	Davidson-Welling, Maureen	5.00	\$ 400.00	\$ 2,000.00	Checking exhibits and revising TOC and preparing affidavits to be included in appendix re exhibits and 23g (4.5) / TC with co-counsel B. Pomponio re class cert and other case discovery issues (.5)

STEMBER COHN + DAVIDSON-WELLING, LLC

FEES SUMMARY

Date	Timekeeper	Duration	Rate	Amount	Description
4/7/2022	Davidson-Welling, Maureen	3.70	\$ 400.00	\$ 1,480.00	Prep call with J. Cohn for call with court (.2) / Working on final revisions to draft class certification brief and citations and related conferring with co-counsel via emails and telephone calls (3.5)
4/13/2022	Davidson-Welling, Maureen	6.30	\$ 400.00	\$ 2,520.00	Indexing additional three thousand pages of document production (5.2) / Emails with opposing counsel and co-counsel re depositions scheduling and briefing schedule motion to change instead of stipulation based on research on Local Rules (1.2)
4/18/2022	Davidson-Welling, Maureen	1.20	\$ 400.00	\$ 480.00	Emails and TC with co-counsel B. Pomponio re status of discovery and depositions and moving forward (.7) / Emails to named plaintiffs Schenkel, Reed, Garan, Wines, and Dolence re scheduling depositions and getting dates (.5)
4/19/2022	Davidson-Welling, Maureen	0.60	\$ 400.00	\$ 240.00	Analyzing emails from defense counsel (.1) / Follow-up emails to named plaintiffs Reed, Schenkel and Garan re scheduling depositions (.2) / Emails to co-counsel re discovery status and conferral issues with defense counsel (.3)
5/3/2022	Davidson-Welling, Maureen	0.90	\$ 400.00	\$ 360.00	Emails to named plaintiffs with depo notices (.5) / Email to co-counsel re scheduling and coverage of depositions (.4)
5/4/2022	Davidson-Welling, Maureen	0.50	\$ 400.00	\$ 200.00	TC with co-counsel re scheduling depositions and defending and taking depositions
5/9/2022	Davidson-Welling, Maureen	3.00	\$ 400.00	\$ 1,200.00	Conf. call with E. Schenkel and B. Pomponio to prepare for deposition (1.0) / communications with L. Dolence getting confirmation of need to be dismissed from case (.3) / TCs with E. Wines to prepare for deposition (1.7)
5/10/2022	Davidson-Welling, Maureen	4.50	\$ 400.00	\$ 1,800.00	Defending deposition of plaintiff Emily Wines (3.0) / Preparing M. Garan for deposition (1.3) / TC with co-counsel re dismissing L. Dolence from case and depositions schedule (.2)
5/11/2022	Davidson-Welling, Maureen	1.60	\$ 400.00	\$ 640.00	Preparing K. Reed for deposition (1.3) / Getting update on deposition of A. Ullum from co-counsel (.3)
5/12/2022	Davidson-Welling, Maureen	8.00	\$ 400.00	\$ 3,200.00	Preparing for and defending deposition of M. Garan (3.5) / Preparing for and defending deposition of K. Reed (3.7) / TC with E. Schenkel and A. Risovich re deposition preparation (.8)
5/13/2022	Davidson-Welling, Maureen	4.10	\$ 400.00	\$ 1,640.00	Attending deposition of E. Schenkel (3.6) / Follow-up TCs with client E. Schenkel and co-counsel A. Risovich (.5)
5/16/2022	Davidson-Welling, Maureen	5.20	\$ 400.00	\$ 2,080.00	Westlaw research on WARN Act defenses in preparation for taking deposition of M. Sarrao
5/17/2022	Davidson-Welling, Maureen	4.50	\$ 400.00	\$ 1,800.00	Westlaw research on WARN Act Notice and good faith and flattening business defenses in preparation for taking deposition of M. Sarrao
5/18/2022	Davidson-Welling, Maureen	8.60	\$ 400.00	\$ 3,440.00	Working on outline and analyzing documents to select exhibits for deposition of M. Sarrao
5/19/2022	Davidson-Welling, Maureen	6.50	\$ 400.00	\$ 2,600.00	Final preparations and taking deposition of M. Sarrao
5/23/2022	Davidson-Welling, Maureen	2.80	\$ 400.00	\$ 1,120.00	Composing and sending summary of testimony from M. Sarrao's depo to co-counsel T. Cogan and B. Pomponio
5/25/2022	Davidson-Welling, Maureen	0.40	\$ 400.00	\$ 160.00	Emails with T. Cogan to assist in preparations for deposition of Roger Krissman
5/26/2022	Davidson-Welling, Maureen	1.20	\$ 400.00	\$ 480.00	Emails with co-counsel re depositions and depo notices (.2) / Attending video deposition of Roger Krissman (1.0)
6/15/2022	Davidson-Welling, Maureen	4.80	\$ 400.00	\$ 1,920.00	Working on data tables for analysis of class terminations for motion for summary judgment and class certification briefing

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FEES SUMMARY

Date	Timekeeper	Duration	Rate	Amount	Description
6/17/2022	Davidson-Welling, Maureen	1.00	\$ 400.00	\$ 400.00	Communications with plaintiff E Wines and sending finalized errata sheet to her for notarizing (.5) / Analyzing letter from defendants re 30(B)(6) deposition topics and objections (.3) / Responding to email from defense counsel re extension request for 3rd RFPs (.2)
6/21/2022	Davidson-Welling, Maureen	7.50	\$ 400.00	\$ 3,000.00	Working on data tables for analysis of class terminations for class certification and summary judgment motion briefing
6/22/2022	Davidson-Welling, Maureen	10.00	\$ 400.00	\$ 4,000.00	Communicating with plaintiff Elizabeth Schenkel re preparation of errata (.2) / Emails conferring with defense counsel re Schenkel errata (.1) / Working on 608 data summary table on class terminations to be used for class certification reply and motion for summary judgment briefing (9.3) / Checking draft corrections against transcript and sending typed errata sheet to Schenkel based on corrections she provided (.4)
6/23/2022	Davidson-Welling, Maureen	7.00	\$ 400.00	\$ 2,800.00	TC with B. Pomponio re assignment of class certification reply brief tasks and 30(B)(6) depositions, objections and data analysis on class terminations being developed by me (.4) / Working on data analysis of class terminations and floats to EO (6.5) / Emailing draft Schenkel errata to B. Pomponio (.1)
6/24/2022	Davidson-Welling, Maureen	3.60	\$ 400.00	\$ 1,440.00	TC with plaintiff E. Schenkel finalizing errata (.3) / Working on data analysis of class terminations and floats to separate employer EO for use in class certification reply and summary judgment filings (3.3)
6/27/2022	Davidson-Welling, Maureen	4.50	\$ 400.00	\$ 1,800.00	Working on data analysis for class certification reply ascertainability analysis and merits analysis
6/28/2022	Davidson-Welling, Maureen	0.40	\$ 400.00	\$ 160.00	Analyzing documents and drafting response email to H. Snyder and sending to co-counsel
6/28/2022	Davidson-Welling, Maureen	5.70	\$ 400.00	\$ 2,280.00	Analyzing and responding to emails with co-counsel B. Pomponio re class certification reply questions, data analysis and legal research on WARN Act employment loss (.7) / Working on exhibits, data analysis and charts for use in class certification reply brief (5.0)
6/29/2022	Davidson-Welling, Maureen	15.40	\$ 400.00	\$ 6,160.00	Revising draft class certification reply brief and supporting appendix of exhibits and Declaration (14.5) / Emails and texts with B. Pomponio re revisions to class certification reply filings and evidence (.5) / Emails with J. Stember re revisions to class certification reply filings and evidence (.2) / TC with J. Stember re revisions to class certification reply filings (.2)
6/30/2022	Davidson-Welling, Maureen	5.60	\$ 400.00	\$ 2,240.00	Analyzing record and correspondence and preparing amended 30(B)(6) depositions notices to AHS and AHSW based on limitations and conferral in correspondence (1.3) / Conferring with T. Schaeffer re pulling exhibits for 30(B)(6) depositions and providing them to the court reporter (.3) / Preparation for taking 30(B)(6) deposition of Defendants AHS and AHSW (4.0)
7/1/2022	Davidson-Welling, Maureen	4.20	\$ 400.00	\$ 1,680.00	Preparation for taking Rule 30(B)(6) deposition of defendants AHS and AHSW (1.0) / Taking corporate depositions of AHS and AHSW (3.8) / TC with co-counsel B. Pomponio re court order on summary judgment and best arguments on which to file motion for summary judgment (.4)
7/15/2022	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Checking orders and communicating with B. Pomponio re potential issue re deadline for summary judgment response briefs

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Date	Timekeeper	Duration	Rate	Amount	Description
7/17/2022	Davidson-Welling, Maureen	3.70	\$ 400.00	\$ 1,480.00	TC with B. Pomponio re dividing work on summary judgment response briefing and deadlines (.2) / Westlaw research in preparation for responding to Defendants' summary judgment motion on WARN act notice and faltering business defense (3.5)
7/18/2022	Davidson-Welling, Maureen	2.10	\$ 400.00	\$ 840.00	Westlaw research on employment loss and employment termination due to cutting wages and benefits after notice is given (1.5) / Drafting section of response to summary judgment brief on employment loss due to cutting wages and benefits after notice is given (.8) / TCs with B. Pomponio re upcoming class certification hearing and preparations for that and arguments for response brief on summary judgment (.3)
7/19/2022	Davidson-Welling, Maureen	5.90	\$ 400.00	\$ 2,360.00	Westlaw research on requirement to full pay wages and benefits during 60-day WARN notice period (4.5) / Working on arguments in opposition to summary judgment (1.4)
7/20/2022	Davidson-Welling, Maureen	3.80	\$ 400.00	\$ 1,520.00	Westlaw research on faltering business requirement for stating "basis" for defense (1.8) / Analyzing Defendants' summary judgment arguments and motion and planning summary judgment response arguments (2.0)
7/21/2022	Davidson-Welling, Maureen	8.90	\$ 400.00	\$ 3,560.00	Drafting summary judgment response brief sections on notice and plant closure
7/22/2022	Davidson-Welling, Maureen	12.60	\$ 400.00	\$ 5,040.00	Drafting summary judgment response brief sections on faltering company exception and employment loss (10.5) and conferring with co-counsel re revisions (.9) / Checking and adding to exhibits and appendix (1.2)
7/23/2022	Davidson-Welling, Maureen	0.80	\$ 400.00	\$ 320.00	Organizing and having conf. call with co-counsel T. Cogan, B. Pomponio, and L. Davidson re preparations for class certification hearing
7/25/2022	Davidson-Welling, Maureen	15.10	\$ 400.00	\$ 6,040.00	Analyzing draft outline for oral argument on class certification prepared by B. Pomponio and providing feedback by TC (.5) / Travel to and from class cert hearing (2.8) / class certification hearing and follow-up discussion with co-counsel and Plaintiffs (1.6) / TC with J. Stember re class certification hearing (.2)
7/27/2022	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 160.00	Analyzing court's order granting class certification motion and related emails with co-counsel (.2)
7/29/2022	Davidson-Welling, Maureen	7.20	\$ 400.00	\$ 2,880.00	Working on reviewing and selecting exhibits and drafting Rule 26(a)(3) disclosures including exhibit lists
8/1/2022	Davidson-Welling, Maureen	3.50	\$ 400.00	\$ 1,400.00	Editing draft Rule 26(a)(3) disclosures and preparing 60-days wages chart for Plaintiffs for exhibit (1.2) / TC with B. Pomponio re Rule 26(a)(3) disclosures and damage chart (.2) / Analyzing drafts and exchanging emails with co-counsel re draft voir dire, jury instructions, motions in limine, Rule 26(a)(3) disclosures and exhibits (2.1)
8/3/2022	Davidson-Welling, Maureen	0.90	\$ 400.00	\$ 360.00	Analyzing court's opinion resolving summary judgment motions (.5) / TC with B. Pomponio re assignment of tasks, preparation of damages chart, content of class notice and case status following court decision on summary judgment (.4)
8/9/2022	Davidson-Welling, Maureen	3.50	\$ 400.00	\$ 1,400.00	Working on revising and adding to draft class certification notice and then emailing revised draft class certification notice to co-counsel (3.4) / Analyzing response emails re content of class certification notice (.1)

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Date	Timekeeper	Duration	Rate	Amount	Description
8/10/2022	Davidson-Welling, Maureen	10.20	\$ 400.00	\$ 4,080.00	TCs with J. Stember re Rule 23 requirements and revisions to class certification notice and communications with Plaintiffs (1.9) / Emails to co-counsel re revisions to class certification notice (.4) / TC with B. Pomponio re class certification notice (.5) / Emails and TC with defense counsel re proposed class notice (.6) / Editing and revising draft proposed class notice and accompany explanatory notice to the court (4.7) / Exchanging emails with potential class notice administrators CPT Group and Rust Consulting to obtain administrative services quote (.9) / Working on class damages calculations (1.2)
8/11/2022	Davidson-Welling, Maureen	8.30	\$ 400.00	\$ 3,320.00	Working on class damages calculations
8/12/2022	Davidson-Welling, Maureen	10.20	\$ 400.00	\$ 4,080.00	Working on class damages calculations (10.1) / Emails re class damages hearing (.1)
8/13/2022	Davidson-Welling, Maureen	9.90	\$ 400.00	\$ 3,960.00	Working on class damages calculations
8/14/2022	Davidson-Welling, Maureen	6.00	\$ 400.00	\$ 2,400.00	Working on class damages calculations
8/15/2022	Davidson-Welling, Maureen	7.20	\$ 400.00	\$ 2,880.00	Working on and checking class damages calculations and emailing to co-counsel
8/17/2022	Davidson-Welling, Maureen	0.10	\$ 400.00	\$ 40.00	Analyzing email from B. Pomponio re class damages to C. Wagner
8/18/2022	Davidson-Welling, Maureen	0.50	\$ 400.00	\$ 200.00	Analyzing terms of CPT quote and proposal in detail, and then emailing to CPT representative that Plaintiffs wanted to proceed with retaining them as administrator for notice services
8/23/2022	Davidson-Welling, Maureen	3.10	\$ 400.00	\$ 1,240.00	Beginning work on analyzing and compiling data to determine appropriate offsets to wages for purposes of calculating WARN damages for class damages hearing
8/24/2022	Davidson-Welling, Maureen	8.30	\$ 400.00	\$ 3,320.00	Working on compiling data and calculating offsets to damages and total damages under various damages rulings
8/25/2022	Davidson-Welling, Maureen	10.50	\$ 400.00	\$ 4,200.00	Preparing and finalizing damages calculations and printing damages calculations exhibits for hearing for class and specific to named plaintiffs (5.3) / Travel to Wheeling, WV for hearing, attending hearing, and driving back to Pittsburgh, PA (4.5) / Follow-up TC with B. Pomponio re damages hearing (.3) / Emailing damages calculations to defense counsel (.4)
8/26/2022	Davidson-Welling, Maureen	1.00	\$ 400.00	\$ 400.00	Conf. call with co-counsel re filing motion to reconsider court's ruling on damages previous day (.8) / Emailing with notice administrator CPT re approval of notice and gathering of addresses (.2)
8/30/2022	Davidson-Welling, Maureen	2.80	\$ 400.00	\$ 1,120.00	Updating damages calculations to account for 43 work day and 27 work day violation periods and circulating to co-counsel
8/31/2022	Davidson-Welling, Maureen	1.20	\$ 400.00	\$ 480.00	Working on getting list of addresses for class members (1.0) / TC with defense counsel re calculation of damages (.2)
9/7/2022	Davidson-Welling, Maureen	6.70	\$ 400.00	\$ 2,680.00	Working on analyzing data, updating class list and class addresses, and uploading revised list for administrator
9/8/2022	Davidson-Welling, Maureen	0.60	\$ 400.00	\$ 240.00	Composing email to B. Pomponio re problems with class list data and conclusions and updated class list for administrator
9/9/2022	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Sending follow-up email to B. Pomponio re dealings with class notice administrator and conferring with Defendant re notice and class list issues
9/20/2022	Davidson-Welling, Maureen	1.00	\$ 400.00	\$ 400.00	Working on updating class damages calculations
9/21/2022	Davidson-Welling, Maureen	0.20	\$ 400.00	\$ 80.00	Conf. call with co-counsel re calculations and damages

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Date	Timekeeper	Duration	Rate	Amount	Description
9/22/2022	Davidson-Welling, Maureen	1.30	\$ 400.00	\$ 520.00	working on damages calculations (.8) / TC with B. Pomponio re damages calculations and strategy (.2) / TC with B. Pomponio and defense counsel re agreement on rules for calculation of damages under district court rulings (.2) / following email to B. Pomponio re draft joint filing with the court (.1)
9/27/2022	Davidson-Welling, Maureen	2.70	\$ 400.00	\$ 1,080.00	Working on damages calculations (2.4) / TC with B. Pomponio re damages calculations and case deadlines (.3)
9/28/2022	Davidson-Welling, Maureen	2.00	\$ 400.00	\$ 800.00	Working on damages calculations (1.9) / Emails with defense counsel re scheduling conf call on damages (.1)
	Davidson-Welling, Maureen Total	578.00		\$ 231,280.00	
1/5/2021	Joseph, Isaac W.	6.60	\$ 100.00	\$ 660.00	Researching requirements for bringing WARN act claims
1/6/2021	Joseph, Isaac W.	6.00	\$ 100.00	\$ 600.00	Researching requirements for bringing WARN act claims
	Joseph, Isaac W. Total	12.60		\$ 1,260.00	
3/16/2021	Levin, Marissa B.	0.30	\$ 100.00	\$ 30.00	Discuss with V. Mersich (.10) / Reviewing docs (.20)
3/17/2021	Levin, Marissa B.	0.20	\$ 100.00	\$ 20.00	Discuss with V. Mersich (.10)/ Organize notes (.10)
3/18/2021	Levin, Marissa B.	0.50	\$ 100.00	\$ 50.00	Organize hot docs notes
3/19/2021	Levin, Marissa B.	1.00	\$ 100.00	\$ 100.00	Organizing notes
	Levin, Marissa B. Total	2.00		\$ 200.00	
6/11/2021	Maddox, Zachary K.	4.50	\$ 100.00	\$ 450.00	Research on WARN protections
6/14/2021	Maddox, Zachary K.	3.10	\$ 100.00	\$ 310.00	Researching WARN Act remedies and drafting memo
6/15/2021	Maddox, Zachary K.	4.80	\$ 100.00	\$ 480.00	Research and Writing Memo on WARN Act
6/16/2021	Maddox, Zachary K.	4.00	\$ 100.00	\$ 400.00	Finishing Memo
9/23/2021	Maddox, Zachary K.	1.30	\$ 100.00	\$ 130.00	Reading case file in preparation for damages calculations assignment
9/24/2021	Maddox, Zachary K.	5.90	\$ 100.00	\$ 590.00	Organizing spreadsheet template for damages calculations
10/8/2021	Maddox, Zachary K.	4.30	\$ 100.00	\$ 430.00	Research re issues with attorney client privilege in discovery
3/22/2022	Maddox, Zachary K.	1.00	\$ 100.00	\$ 100.00	Drafting Plaintiffs' third set of Interrogatories and certificate of service
	Maddox, Zachary K. Total	28.90		\$ 2,890.00	
2/12/2021	Martiniano, Nicholas	1.70	\$ 100.00	\$ 170.00	Email to M. Davidson-Welling with question re research (.10) / Research re: WARN Act damages (1.50) /Email to M. Davidson-Welling with WARN Act Findings (.10)
3/5/2021	Martiniano, Nicholas	7.00	\$ 100.00	\$ 700.00	TC with M. Davidson-Welling (.30) / Research of Attorney-Client Privilege and business functions (6.70)
3/11/2021	Martiniano, Nicholas	4.20	\$ 100.00	\$ 420.00	Researching of attorney-client privilege and drafting memo summarizing findings
3/12/2021	Martiniano, Nicholas	4.60	\$ 100.00	\$ 460.00	Drafting memo re attorney-client privilege and business purposes research findings (4.5) / Email to M. Davidson-Welling re research memo (.10)
	Martiniano, Nicholas Total	17.50		\$ 1,750.00	
9/5/2019	Mersich, Vincent J.	8.30	\$ 400.00	\$ 3,320.00	Draft and revise Complaint (5.50) / Research potential wage payment state law claim (2.80)

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Date	Timekeeper	Duration	Rate	Amount	Description
9/6/2019	Mersich, Vincent J.	15.60	\$ 400.00	\$ 6,240.00	TC with Keith Reed re case (.5) / Meet with K. Reed re case (.5) / Factual research re OVMC closing and its relation with Alecto (3.2) / Research and draft memorandum re WARN Act affirmative defenses (2.1) / Drafting Complaint (6.8) / Continued factual research re relation between OVMC and parent company Alecto (2.5)
9/7/2019	Mersich, Vincent J.	5.80	\$ 400.00	\$ 2,320.00	Draft and revise Complaint (3.5) / TC with named plaintiff re review of facts in complaint (.5) / Research and analyze potential class certification issue under WARN Act (29 USC 2101(a)(6) and (b)(2)) (1.8)
9/9/2019	Mersich, Vincent J.	4.80	\$ 400.00	\$ 1,920.00	Draft and revise Complaint (2.4) / Confer with local counsel re filing of Complaint (.6) / TC with remaining named plaintiffs re factual allegations (1.8)
9/10/2019	Mersich, Vincent J.	0.90	\$ 400.00	\$ 360.00	Review OVMC letter to State of WV re closing (.5) / Draft email to named plaintiffs re filing status (.4)
9/26/2019	Mersich, Vincent J.	0.90	\$ 400.00	\$ 360.00	Prepare and revise pro hac vice application (.5) / Review and analyze local rules re pro hac vice appearance (.4)
10/4/2019	Mersich, Vincent J.	1.80	\$ 400.00	\$ 720.00	Instruct paralegal re service (.3) / Research appropriate manner of service for out of state defendant (.7) / Research and locate Defendants' registered agents for service (.8)
10/11/2019	Mersich, Vincent J.	1.00	\$ 400.00	\$ 400.00	Draft request for summons, and confer with local counsel re same (.6) / TC with local counsel re case strategy (.4)
10/14/2019	Mersich, Vincent J.	0.20	\$ 400.00	\$ 80.00	Attn to service issues
10/15/2019	Mersich, Vincent J.	0.40	\$ 400.00	\$ 160.00	Attend to service issues and instruct local counsel re service of process
11/8/2019	Mersich, Vincent J.	2.10	\$ 400.00	\$ 840.00	Draft letter to Plaintiffs re discovery and Initial Disclosures (1.30) / Research re WARN Act discovery strategy (.80)
11/11/2019	Mersich, Vincent J.	0.40	\$ 400.00	\$ 160.00	Revise letter to Plaintiffs re discovery and Initial Disclosures
11/12/2019	Mersich, Vincent J.	1.70	\$ 400.00	\$ 680.00	Review Answer to Complaint in preparation in discovery (.50) / Draft Requests for Production of Documents (1.20)
11/27/2019	Mersich, Vincent J.	2.30	\$ 400.00	\$ 920.00	Revise Requests for Production of Documents
12/3/2019	Mersich, Vincent J.	1.70	\$ 400.00	\$ 680.00	Revise letter to Plaintiffs regarding discovery and Initial Disclosures (.50) / Review Local Rules re Rule 26(f) Conference, and prepare checklist re same (1.20)
12/4/2019	Mersich, Vincent J.	5.50	\$ 400.00	\$ 2,200.00	TC with opposing counsel (.50) / Further revision of discovery requests (1.80) / Factual investigation re OVMC's parent companies (3.20)
12/6/2019	Mersich, Vincent J.	6.20	\$ 400.00	\$ 2,480.00	Draft Report of Planning Meeting (3.4) / Draft Scheduling Order Checklist (2.8)
12/11/2019	Mersich, Vincent J.	1.00	\$ 400.00	\$ 400.00	Email correspondence with opposing counsel regarding Rule 26 Report (.6) / Revise Rule 26 Report (.4)
12/12/2019	Mersich, Vincent J.	2.30	\$ 400.00	\$ 920.00	Revise Rule 26 Report (.8) / Email correspondence with opposing counsel re filing of Rule 26 Report (.7) / Revise and serve initial discovery requests (.8)
1/2/2020	Mersich, Vincent J.	0.20	\$ 400.00	\$ 80.00	Email to opposing counsel re extension
2/1/2020	Mersich, Vincent J.	0.20	\$ 400.00	\$ 80.00	Review email from opposing counsel re Protective Order
3/12/2020	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Email to opposing counsel re protective order and discovery issues

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Date	Timekeeper	Duration	Rate	Amount	Description
4/9/2020	Mersich, Vincent J.	5.30	\$ 400.00	\$ 2,120.00	Review Defendants' discovery responses for completeness (1.8) / Draft letter to opposing counsel re discovery deficiencies (3.5)
4/15/2020	Mersich, Vincent J.	1.20	\$ 400.00	\$ 480.00	TC with opposing counsel re discovery disputes
4/29/2020	Mersich, Vincent J.	1.50	\$ 400.00	\$ 600.00	Review and revise Protective Order (1.3) / Review draft motion to continue mediation date (.2)
5/1/2020	Mersich, Vincent J.	0.90	\$ 400.00	\$ 360.00	Email to local counsel re Protective Order and motion to extend mediation deadline (.4) / Revise Protective Order (.5)
5/5/2020	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Email correspondence with opposing counsel re Protective Order and joint motion to extend mediation deadline
6/10/2020	Mersich, Vincent J.	3.70	\$ 400.00	\$ 1,480.00	Review supplemental discovery production (3.2) / Email to co-counsel summarizing review of supplemental production (.3) / Email to opposing counsel re proposal of David White as mediator (.2)
6/11/2020	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Email correspondence with co-counsel regarding potential Alecto Wheeling insolvency
6/17/2020	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Email to Mediator David White regarding scheduling mediation
6/18/2020	Mersich, Vincent J.	0.20	\$ 400.00	\$ 80.00	Email to opposing counsel regarding mediation dates
6/22/2020	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Email correspondence with co-counsel re mediation in-person or remote
7/22/2020	Mersich, Vincent J.	1.50	\$ 400.00	\$ 600.00	Email correspondence with opposing counsel regarding mediation in-person v. remote (.4) / Email correspondence with co-counsel re mediation in-person v. remote (.3) TC with opposing counsel re mediation locale during COVID-19 pandemic (.2) / Correspondence with co-counsel and Mediator White regarding scheduling of mediation date (.6)
7/27/2020	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Email correspondence with opposing counsel regarding mediation date
7/29/2020	Mersich, Vincent J.	2.70	\$ 400.00	\$ 1,080.00	Review Defendants' Motion to Consolidate (.5) / Review and analyze related case docket re motion to consolidate (.8) / Research regarding "first to file" rule and consolidation under FRCP 42 (1.3) / Email to opposing counsel regarding mediation date (.1)
7/30/2020	Mersich, Vincent J.	0.70	\$ 400.00	\$ 440.00	Brief background research regarding related case's counsel (.5); Email to counsel in related case regarding consolidation (.2)
7/31/2020	Mersich, Vincent J.	1.10	\$ 400.00	\$ 560.00	TCs with counsel in related case regarding consolidation motions (.8); / Revise joint motion to continue mediation deadline (.3)
8/10/2020	Mersich, Vincent J.	1.80	\$ 400.00	\$ 720.00	Draft stipulation and joint motion
8/11/2020	Mersich, Vincent J.	3.10	\$ 400.00	\$ 1,240.00	Revise stipulation, joint motion and scheduling order (1.2) / Draft Amended Complaint (.8) / Confer with co-counsel re stipulation and amended complaint (.3) / Draft stipulation to dismiss (.3) / Email opposing counsel re stipulation and amended complaint and scheduling order (.2) / TC with Kevin Carr (.3)
8/19/2020	Mersich, Vincent J.	0.20	\$ 400.00	\$ 80.00	Confer with co-counsel re filing of scheduling order
9/14/2020	Mersich, Vincent J.	0.40	\$ 400.00	\$ 160.00	Email opposing counsel re mediation and discovery strategy
9/16/2020	Mersich, Vincent J.	1.50	\$ 400.00	\$ 600.00	TC with co-counsel going over and assigning case tasks in advance of upcoming mediation (1.1) / Email co-counsel re task assignment (.4)
9/18/2020	Mersich, Vincent J.	1.50	\$ 400.00	\$ 600.00	Analyze employee payroll data to create damages spreadsheet
9/19/2020	Mersich, Vincent J.	3.50	\$ 400.00	\$ 1,400.00	Continue preparation of damages spreadsheet for mediation

STEMBER COHN + DAVIDSON-WELLING, LLC

FEES SUMMARY

Date	Timekeeper	Duration	Rate	Amount	Description
9/22/2020	Mersich, Vincent J.	4.50	\$ 400.00	\$ 1,800.00	Complete damages analysis spreadsheet for mediation
9/24/2020	Mersich, Vincent J.	5.80	\$ 400.00	\$ 2,320.00	Draft and revise mediation statement (5.5) / Email correspondence with co-counsel re mediation strategy and damages analysis (.3)
9/28/2020	Mersich, Vincent J.	3.10	\$ 400.00	\$ 1,240.00	Revise mediation statement
10/5/2020	Mersich, Vincent J.	1.50	\$ 400.00	\$ 600.00	Conferring with co-counsel re mediation preparations (1.0) / TC with Plaintiffs Ullum, Buffy and Reed re mediation (.5)
10/6/2020	Mersich, Vincent J.	2.80	\$ 400.00	\$ 1,120.00	Prepare for and participate in remote mediation with Mediator David White
10/7/2020	Mersich, Vincent J.	1.10	\$ 400.00	\$ 440.00	Research and prepare outline of proof required for "single employer" theory (1.1)
10/8/2020	Mersich, Vincent J.	2.00	\$ 400.00	\$ 800.00	TC with B. Pomponio re Carr's comment re insolvency (.4) / Confer with J. Stember re insolvency discussion (.2) / Email to co-counsel re discovery strategy (.2) / Initial research re corporate veil piercing in WARN Act context (1.2)
10/9/2020	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Correspondence with co-counsel re discovery strategy
10/12/2020	Mersich, Vincent J.	3.10	\$ 400.00	\$ 1,240.00	Conf. call with co-counsel re strategy (.7) / Research pre-judgment attachment issues (2.4)
2/15/2021	Mersich, Vincent J.	1.80	\$ 400.00	\$ 720.00	Research use of experts in WARN Act cases (1.4) / Correspond with potential expert re WARN Act damages calculations (.4)
2/16/2021	Mersich, Vincent J.	1.50	\$ 400.00	\$ 600.00	Email correspondence with co-counsel re expert disclosures (.3) / TC with M. Davidson-Welling re expert disclosures and damages calculations (.4) / Correspond with potential expert re WARN Act damages calculations (.8)
2/18/2021	Mersich, Vincent J.	0.60	\$ 400.00	\$ 240.00	TC with co-counsel re expert designation and defendant solvency issues
2/25/2021	Mersich, Vincent J.	1.60	\$ 400.00	\$ 640.00	Draft letter to opposing counsel re outstanding discovery issues
3/2/2021	Mersich, Vincent J.	0.20	\$ 400.00	\$ 80.00	Review and analyze discovery email from opposing counsel
3/11/2021	Mersich, Vincent J.	0.10	\$ 400.00	\$ 40.00	Email opposing counsel re discovery production
3/15/2021	Mersich, Vincent J.	1.60	\$ 400.00	\$ 840.00	Review Defs' supplement production and privilege log (.7) / Draft email to opposing counsel re privilege log deficiencies (1.2)
3/19/2021	Mersich, Vincent J.	2.60	\$ 400.00	\$ 1,040.00	Draft Requests for Admission and interrogatory to Defendant AHSW (1.2) / Draft Rule 30(b)(6) deposition notice (1.4)
3/22/2021	Mersich, Vincent J.	0.80	\$ 400.00	\$ 320.00	Revise and finalize RFAs and interrogatory to Defendant AHSW (.4) / Revise and send draft 30(b)(6) notice to co-counsel for review (.4)
3/23/2021	Mersich, Vincent J.	1.20	\$ 400.00	\$ 480.00	Draft email to opposing counsel with Rule 30(b)(6) notice, and list of potential deponents and dates
3/24/2021	Mersich, Vincent J.	0.80	\$ 400.00	\$ 320.00	Email opposing counsel with Rule 30(b)(6) notice, and list of potential deponents and dates (.2) / Correspondence with named plaintiffs re class certification (.6) / Confer with TC with M. Davidson-Welling re class cert evidence required (.5)
3/26/2021	Mersich, Vincent J.	2.80	\$ 400.00	\$ 1,120.00	Review and analyze defendants' interrogatory responses (.8) / Draft correspondence to opposing counsel re interrogatory responses (1.2) / Draft correspondence to opposing counsel re deficient RFP responses (.8)
3/29/2021	Mersich, Vincent J.	0.80	\$ 400.00	\$ 320.00	TC with co-counsel re Defs' discovery deficiencies and deadlines
4/1/2021	Mersich, Vincent J.	0.70	\$ 400.00	\$ 280.00	Revise and circulate joint motion to continue deadlines

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FEES SUMMARY

Date	Timekeeper	Duration	Rate	Amount	Description
4/2/2021	Mersich, Vincent J.	0.20	\$ 400.00	\$ 80.00	Review and analyze objections to MPT subpoena
4/5/2021	Mersich, Vincent J.	0.20	\$ 400.00	\$ 80.00	Respond to opposing counsel re discovery extension (.1) / Confer with opposing counsel re discovery extension and filing (.1)
4/8/2021	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Draft email to opposing counsel re AHSOV subpoena (.2) / Confer with co-counsel re AHSOV subpoena (.1)
4/9/2021	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Review letter from opposing counsel
4/15/2021	Mersich, Vincent J.	3.80	\$ 400.00	\$ 1,600.00	Review and analyze Defendants' discovery production, marking notable "hot" documents (3.8) /
4/19/2021	Mersich, Vincent J.	0.80	\$ 400.00	\$ 320.00	TC with Baker Donnelson attorneys on MPT Subpoena objections (.5) / Conference with co-counsel re MPT subpoena response (.3)
4/21/2021	Mersich, Vincent J.	1.20	\$ 400.00	\$ 480.00	Review and analyze responses to RFA's (.5) / Review and analyze supplemental responses to Plaintiffs' first interrogatories, and responses to Plaintiffs' second interrogatories (.7)
5/10/2021	Mersich, Vincent J.	2.70	\$ 400.00	\$ 1,080.00	Review email from B. Pomponio re redacted discovery responses (.3) / Review AHSOV response to subpoena (.2) / Draft letter to opposing counsel re outstanding discovery issues (2.2)
5/14/2021	Mersich, Vincent J.	0.40	\$ 400.00	\$ 160.00	Email correspondence with B. Pomponio re MPT subpoena response
5/18/2021	Mersich, Vincent J.	1.40	\$ 400.00	\$ 560.00	Prepare with co-counsel for discovery conference with defense counsel re discovery disputes (.6) / TC with defense counsel re AHS and AHSW deficiencies in productions in response to 1st and 2nd RFPs (.6) / Review 5/17/21 letter from Kevin Carr (.3)
5/20/2021	Mersich, Vincent J.	1.80	\$ 400.00	\$ 720.00	Review and analyze Defendants' supplement doc production (.8) / Conf. call with co-counsel re document production, deficiency conferrals and motion to compel (1.0)
5/21/2021	Mersich, Vincent J.	0.90	\$ 400.00	\$ 360.00	Review and revise draft motion to compel (.5) / Review correspondence from opposing counsel re document production (.4)
6/2/2021	Mersich, Vincent J.	0.60	\$ 400.00	\$ 240.00	Review and revise draft Reply re motion to compel
6/16/2021	Mersich, Vincent J.	0.40	\$ 400.00	\$ 160.00	Draft email to opposing counsel re supplemental ESI search
6/22/2021	Mersich, Vincent J.	0.50	\$ 400.00	\$ 200.00	Review correspondence from opposing counsel re document production and discovery extension (.2) / Confer with co-counsel re Defs' document production and proposed discovery extension (.3)
6/30/2021	Mersich, Vincent J.	1.90	\$ 400.00	\$ 760.00	TC with opposing counsel re ESI search parameters (.7) / Draft correspondence to opposing counsel re agreement on ESI search parameters (1.2)
7/12/2021	Mersich, Vincent J.	0.40	\$ 400.00	\$ 160.00	Review and analyze correspondence from opposing counsel re AHSW ESI search and production
7/14/2021	Mersich, Vincent J.	1.00	\$ 400.00	\$ 400.00	Review and revise draft motion to continue discovery (.8) / Confer with co-counsel re motion to continue discovery (.2)
8/3/2021	Mersich, Vincent J.	2.90	\$ 400.00	\$ 1,160.00	Confer with co-counsel re ongoing ESI search and production issues (.5) / Draft email to opposing counsel re ongoing ESI search and production issues (1.6) / Review correspondence from opposing counsel re ongoing ESI search and production issues (.4) / TC with opposing counsel re ongoing ESI search and production issues (.4)

STEMBER COHN + DAVIDSON-WELLING, LLC

FEES SUMMARY

Date	Timekeeper	Duration	Rate	Amount	Description
8/9/2021	Mersich, Vincent J.	0.40	\$ 400.00	\$ 160.00	Draft email to opposing counsel re outstanding ESI production
8/26/2021	Mersich, Vincent J.	0.20	\$ 400.00	\$ 160.00	Email correspondence with opposing counsel (.2)
9/10/2021	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Email correspondence with opposing counsel re outstanding ESI search and production
9/15/2021	Mersich, Vincent J.	0.70	\$ 400.00	\$ 280.00	TC with opposing counsel re ongoing ESI search and production issues and depositions (.4) / Instructing Z. Maddox re damages analysis (.3)
9/17/2021	Mersich, Vincent J.	1.80	\$ 400.00	\$ 720.00	Review and analyze Defs' discovery production, marking notable "hot" documents
9/23/2021	Mersich, Vincent J.	1.20	\$ 400.00	\$ 560.00	Draft class certification declaration template (1.2)
9/30/2021	Mersich, Vincent J.	0.80	\$ 400.00	\$ 320.00	TC with co-counsel discussing settlement
10/1/2021	Mersich, Vincent J.	0.70	\$ 400.00	\$ 280.00	Conf. call with opposing counsel re settlement
10/4/2021	Mersich, Vincent J.	0.60	\$ 400.00	\$ 240.00	Review and revise draft motion to continue discovery deadlines (.4) / Correspondence with co-counsel re discovery motion (.2)
10/5/2021	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Correspondence with opposing counsel re discovery extension motion
10/8/2021	Mersich, Vincent J.	0.80	\$ 400.00	\$ 320.00	Draft email to opposing counsel re outstanding ESI production (.8)
10/15/2021	Mersich, Vincent J.	0.60	\$ 400.00	\$ 240.00	Correspondence with opposing counsel re outstanding ESI production
10/22/2021	Mersich, Vincent J.	1.30	\$ 400.00	\$ 520.00	Analyzing Defs' document production, marking notable "hot" documents
11/16/2021	Mersich, Vincent J.	1.80	\$ 400.00	\$ 840.00	Analyzing Defs' supplemental document production
11/18/2021	Mersich, Vincent J.	3.30	\$ 400.00	\$ 1,680.00	Draft proposed deponent schedule (.6) / Draft deposition notices (.8) / Prepare certificates of service for seven deposition notices (.6) / Draft and revise Rule 30(b)(6) deposition notice (1.3)
11/22/2021	Mersich, Vincent J.	2.10	\$ 400.00	\$ 840.00	Draft 3rd set of RFP (.7) / Revise deposition notices (.3) / Confer with co-counsel re deposition notices and RFPs (.5) / TC with court reporter services re remote deposition scheduling (.3) / Email correspondence with court reporter services re remote deposition scheduling (.3)
11/27/2021	Mersich, Vincent J.	0.30	\$ 400.00	\$ 120.00	Correspondence with opposing counsel re deposition of Daniel Dunmyer (.2) / Correspondence with co-counsel re discovery and deposition scheduling (.1)
11/30/2021	Mersich, Vincent J.	0.40	\$ 400.00	\$ 160.00	Correspondence with opposing counsel re depositions, document production, and privilege log issues
12/1/2021	Mersich, Vincent J.	1.10	\$ 400.00	\$ 440.00	Review correspondence from opposing counsel re depositions, document production, and privilege log issues (.4) / TC with opposing counsel re depositions, document production, and privilege log issues (.5) / Correspondence with court reporter services re deposition rescheduling (.2)
12/2/2021	Mersich, Vincent J.	1.00	\$ 400.00	\$ 400.00	Review and revise draft Joint Motion to Amend Scheduling Order (.4) / Confer with co-counsel re motion to extend discovery and amend scheduling order (.3) Correspondence with opposing counsel re Joint Motion to Amend Scheduling Order (.3)
12/9/2021	Mersich, Vincent J.	0.50	\$ 400.00	\$ 200.00	Review and analyze discovery requests to Plaintiffs (.3) / Correspondence with opposing counsel re responses to discovery requests directed to plaintiffs (.2)
12/13/2021	Mersich, Vincent J.	0.20	\$ 400.00	\$ 80.00	Emails re named Plaintiffs
1/3/2022	Mersich, Vincent J.	0.50	\$ 400.00	\$ 280.00	Draft email to Plaintiffs re discovery responses (.2) / Review discovery requests (.2) / Email to opposing counsel re response deadline for Ps' 3rd RFPs (.1)

STEMBER COHN + DAVIDSON-WELLING, LLC

FEES SUMMARY

Date	Timekeeper	Duration	Rate	Amount	Description
1/6/2022	Mersich, Vincent J.	0.70	\$ 400.00	\$ 400.00	TC with Elizabeth Schenkel re discovery responses (.3) / Email Keith Reed re discovery responses (.1) / Email opposing counsel re production and privilege log (.3)
1/7/2022	Mersich, Vincent J.	1.70	\$ 400.00	\$ 680.00	TC with Elizabeth Schenkel re discovery responses (1.4) / TC with Keith Reed re discovery responses (.3)
1/10/2022	Mersich, Vincent J.	1.30	\$ 400.00	\$ 680.00	TC with Keith Reed re discovery responses (1.3) /
1/11/2022	Mersich, Vincent J.	0.60	\$ 400.00	\$ 360.00	TC with Emily Wines re discovery responses (.2) / Email to co-counsel re discovery responses (.2) / Email to opposing counsel re discovery responses (.2)
1/13/2022	Mersich, Vincent J.	0.20	\$ 400.00	\$ 80.00	Email correspondence with opposing counsel regarding plaintiff's discovery responses
1/13/2022	Mersich, Vincent J.	0.20	\$ 400.00	\$ 80.00	Email correspondence with opposing counsel re Ps' discovery responses
1/14/2022	Mersich, Vincent J.	2.50	\$ 400.00	\$ 1,000.00	TC with plaintiff Emily Wines re discovery responses (2.1) / Draft email correspondence with search instructions for plaintiff (.4)
1/18/2022	Mersich, Vincent J.	0.80	\$ 400.00	\$ 320.00	Email correspondence with Keith Reed and Emily Wines re discovery responses (.5) / Confer with M. Davidson-Welling re Plaintiffs' discovery responses (.3)
	Mersich, Vincent J. Total	187.80		\$ 76,800.00	
9/7/2019	Stember, John	2.20	\$ 495.00	\$ 1,089.00	Review and revise draft Complaint
9/8/2019	Stember, John	0.70	\$ 495.00	\$ 346.50	TC with T. Cogan re local counsel, and revise Complaint
9/9/2019	Stember, John	0.90	\$ 495.00	\$ 445.50	TC and emails with T. Cogan re filing Complaint (.50) / Discussion with V. Mersich and M. Davidson-Welling re Complaint (.40)
11/27/2019	Stember, John	0.80	\$ 495.00	\$ 396.00	Revising letter to client
8/19/2020	Stember, John	1.30	\$ 495.00	\$ 643.50	Revising joint motion
9/16/2020	Stember, John	0.30	\$ 495.00	\$ 148.50	Discussion with V. Mersich / TC with Bren re Aubrey
9/29/2020	Stember, John	1.30	\$ 495.00	\$ 643.50	Revising Confidential Mediation Statement
10/1/2020	Stember, John	0.50	\$ 495.00	\$ 247.50	Revised letter to Plaintiffs
10/5/2020	Stember, John	1.40	\$ 495.00	\$ 693.00	Discussion with V. Mersich and M. Davidson-Welling re mediation (.40) / TC with v. Mersich, M. Davidson-Welling and co-counsel re mediation (.40) / TC with co-counsel and 3 named class plaintiffs (.60)
10/6/2020	Stember, John	3.50	\$ 495.00	\$ 1,732.50	Participated in mediation
7/14/2021	Stember, John	0.80	\$ 495.00	\$ 396.00	Revising motion
9/30/2021	Stember, John	0.80	\$ 495.00	\$ 396.00	Discussion with V. Mersich, M. Davidson-Welling, and B. Pomponio re settlement
10/1/2021	Stember, John	0.70	\$ 495.00	\$ 346.50	Participated in conf call with defense counsel re settlement
10/4/2021	Stember, John	0.70	\$ 495.00	\$ 346.50	Revising Joint Motion to Extend Discovery
2/18/2022	Stember, John	0.50	\$ 495.00	\$ 247.50	Revise Declarations for Emily Wines and Mark Garan
3/30/2022	Stember, John	2.00	\$ 495.00	\$ 990.00	Revising brief in support of Plaintiffs' Motion for Class Certification
4/5/2022	Stember, John	0.60	\$ 495.00	\$ 297.00	Edit, revise and sign Declaration in Support of Motion to Appoint Class Counsel Pursuant to F.R.C.P. 23(G)
6/14/2022	Stember, John	0.50	\$ 495.00	\$ 247.50	Revised extension motion
6/29/2022	Stember, John	1.00	\$ 495.00	\$ 495.00	Revising class certification brief
7/22/2022	Stember, John	1.50	\$ 495.00	\$ 742.50	Revising Plaintiffs' Brief in Opposition to Defendants' motion for summary judgment

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FEES SUMMARY

Date	Timekeeper	Duration	Rate	Amount	Description
8/10/2022	Stember, John	1.90	\$ 495.00	\$ 940.50	TCs with M. Davidson-Welling re Rule 23 requirements and revisions to class certification notice and communications with Plaintiffs
8/30/2022	Stember, John	1.20	\$ 495.00	\$ 594.00	Revise memo in support of motion to alter/amend judgement
9/29/2022	Stember, John	0.50	\$ 495.00	\$ 247.50	Revising Joint Status Report
	Stember, John Total	25.60		\$ 12,672.00	
	Grand Total	852.40		\$ 326,852.00	

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EXHIBIT C

STEMBER COHN + DAVIDSON-WELLING, LLC

COSTS SUMMARY

Date	Code	Quantity	Price	Amount	Description
5/31/2022	Copying	207	\$ 0.10	\$ 20.70	Photocopying Expense (Monthly)
6/30/2022	Copying	237	\$ 0.10	\$ 23.70	Photocopying Expense (Monthly)
	Copying Total			\$ 44.40	
9/9/2019	Court Fee	1	\$ 400.00	\$ 400.00	Court fee - U.S. District Court (N.D. W. Va.) - complaint filing fee
9/27/2019	Court Fee	3	\$ 200.00	\$ 600.00	Court fee - U.S. District Court - PHV Applications for J. Stember, M. Davidson-Welling and V. Mersich
9/27/2019	Court Fee	3	\$ 350.00	\$ 1,050.00	Court fee - WV State Bar - PHV Applications for J. Stember, M. Davidson-Welling and V. Mersich
9/15/2020	Court Fee	1	\$ 358.00	\$ 358.00	Court fee - The West Virginia State Bar (Annual PHV fee) (V. Mersich)
9/1/2021	Court Fee	1	\$ 358.00	\$ 358.00	Court fee - The West Virginia State Bar (Annual PHV fee) (V. Mersich)
7/6/2022	Court Fee	2	\$ 385.00	\$ 770.00	Court fee - PHV Renewal Fees (J. Stember and M. Davidson-Welling)
	Court Fee Total			\$ 3,536.00	
9/19/2022	CPT Class Notice Admin.	1	\$ 3,031.00	\$ 1,515.50	CPT Group, Class Action Administrators (Notice Mailing Administrative Tasks)
	CPT Class Notice Admin. Total			\$ 1,515.50	
5/18/2022	Depo	1	\$ 584.30	\$ 584.30	Deposition Expense - Real Time Reporters (Invoice 201975) (Mark Garan and Keith Reed) (exhibits and transcripts)
5/19/2022	Depo	1	\$ 294.70	\$ 294.70	Deposition Expense - Real Time Reporters (Invoice 2019835) (Emily Wines) (exhibits and transcripts)
6/14/2022	Depo	1	\$ 695.63	\$ 695.63	Deposition Expense - Planet Depos - Michael Sarrao - Videography (Invoice 501780)
6/14/2022	Depo	1	\$ 725.55	\$ 725.55	Deposition Expense - Planet Depos - Michael Sarrao - Videoconferencing Services (Invoice 504135)
6/14/2022	Depo	1	\$ 996.82	\$ 996.82	Deposition Expense - Planet Depos - Michael Sarrao - Transcript (Invoice 501488)
7/18/2022	Depo	1	\$ 569.63	\$ 569.63	Deposition Expense - Planet Depos - Michael Sarrao - Videoconferencing Services (Invoice 512029)
7/18/2022	Depo	1	\$ 1,005.64	\$ 1,005.64	Deposition Expense - Planet Depos - Michael Sarrao - Transcript (Invoice 512034) (Corrected and Final)
	Depo Total			\$ 4,872.27	

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COSTS SUMMARY

Date	Code	Quantity	Price	Amount	Description
10/8/2021	Misc.	1	\$ 34.00	\$ 34.00	Misc. Expense - L.A. Superior Court (Kelley v. Alecto) (Receipt 1211008J5607)
	Misc. Total			\$ 34.00	
9/30/2019	PACER	1	\$ 3.70	\$ 3.70	PACER (Court Expense) (3rd Quarter)
5/31/2020	PACER	1	\$ 2.00	\$ 2.00	PACER (Court Expense)
7/30/2020	PACER	1	\$ 6.30	\$ 6.30	PACER (Court Expense)
8/31/2020	PACER	1	\$ 3.40	\$ 3.40	PACER (Court Expense)
9/30/2020	PACER	1	\$ 2.50	\$ 2.50	PACER (Court Expense)
9/30/2021	PACER	4	\$ 2.20	\$ 7.92	PACER (Court Expense) (3rd Quarter)
2/28/2022	PACER	1	\$ 6.00	\$ 6.00	PACER (Court Expense)
3/31/2022	PACER	1	\$ 1.90	\$ 1.90	PACER (Court Expense)
5/31/2022	PACER	1	\$ 8.10	\$ 8.10	PACER (Court Expense)
7/31/2022	PACER	1	\$ 14.60	\$ 14.60	PACER (Court Expense)
	PACER Total			\$ 56.42	
12/4/2019	Postage	7	\$ 7.35	\$ 51.45	Postage Expense
5/20/2022	Postage	2	\$ 0.53	\$ 1.06	Postage Expense
5/20/2022	Postage	2	\$ 8.95	\$ 17.90	Postage Expense
6/3/2022	Postage	1	\$ 0.53	\$ 0.53	Postage Expense
6/3/2022	Postage	1	\$ 27.50	\$ 27.50	Postage Expense
6/6/2022	Postage	1	\$ 0.53	\$ 0.53	Postage Expense
6/6/2022	Postage	1	\$ 26.95	\$ 26.95	Postage Expense
	Postage Total			\$ 125.92	
10/9/2019	Process Server	1	\$ 127.84	\$ 127.84	Process Server - One Source Process (Invoice 3859876) (Irvine, CA)
10/9/2019	Process Server	1	\$ 127.84	\$ 127.84	Process Server - One Source Process (Invoice 3860027) (Dover, DE)
	Process Server Total			\$ 255.68	
9/12/2022	Transcript	1	\$ 164.65	\$ 164.65	Transcript - Cindy L. Knecht (Official Court Reporter) (Invoice 2022-119) (for 08-25-2022 hearing transcript)
	Transcript Total			\$ 164.65	
1/31/2020	Westlaw	1	\$ 74.72	\$ 74.72	Westlaw Charges
10/31/2021	Westlaw	1	\$ 906.45	\$ 906.45	Westlaw Charges
1/31/2022	Westlaw	1	\$ 590.13	\$ 590.13	Westlaw Charges
2/28/2022	Westlaw	1	\$ 526.51	\$ 526.51	Westlaw Charges
3/31/2022	Westlaw	1	\$ 156.56	\$ 156.56	Westlaw Charges (1st Quarter 2022)
4/30/2022	Westlaw	1	\$ 1,031.30	\$ 1,031.30	Westlaw Charges (Monthly)
5/31/2022	Westlaw	1	\$ 252.00	\$ 252.00	Westlaw Charges

STEMBER COHN + DAVIDSON-WELLING, LLC

COSTS SUMMARY

Date	Code	Quantity	Price	Amount	Description
6/30/2022	Westlaw	1	\$ 31.35	\$ 31.35	Westlaw Charges
7/31/2022	Westlaw	1	\$ 534.15	\$ 534.15	Westlaw Charges
8/31/2022	Westlaw	1	\$ 237.46	\$ 237.46	Westlaw Charges
	Westlaw Total			\$ 4,340.63	
	Grand Total			\$ 14,945.47	

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