

# **EXHIBIT B**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LORI COWEN, et al.,

Plaintiff,

vs.

LENNY & LARRY'S, INC.,

Defendant.

Case No. 1:17-CV-01530

Judge Robert W. Gettleman

Magistrate Young B. Kim

**DECLARATION OF STEVE K. WASSERMAN  
RELATING TO WASSERMAN LAW GROUP'S LODESTAR,  
EXPENSES, AND WORK PERFORMED IN THIS CASE**

I, Steve K. Wasserman ("Wasserman"), hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct to the best of my knowledge and recollection:

1. I am a partner at the law firm of Wasserman Law Group ("WLG") and Class Counsel for Plaintiffs and the Settlement Class in the above-captioned litigation. I submit this declaration based on my own personal knowledge, and, if called to do so, I could testify competently to the matters stated herein.

2. I am an attorney licensed to practice before the bar of the State of California. On April 11, 2017, the Motion of Steve Wasserman for leave to appear pro hac vice was granted in the above-captioned matter. On the same date, the Motion for Karin Leavitt and the Motion for Kathryn S. Marshall to appear pro hac vice were also granted.

3. I am the founding partner of WLG. WLG<sup>1</sup> is a nationally-recognized leading firm in complex class action and multidistrict litigation, and attorneys at the firm have been appointed to numerous leadership positions in class action cases across the country, where they have successfully settled numerous matters or tried those cases to verdict. I have personally been involved in complex class action and multidistrict litigation for over two decades, and have substantial experience representing plaintiffs in all phases of complex litigation, including a wide variety of consumer protection, antitrust, securities, wage and hour, business, and contractual class-action cases. WCC's class action department handled a multitude of other types of class actions (i.e. illegal and misleading product labeling; product liability; deceptive business practice, etc.) including being appointed as Class Counsel on behalf of a nationwide class in the case of *Friedman v. 24 Hour Fitness USA, Inc.*, United States District Court for the Central District of California, case number 06-06282, in which the Court granted final approval of a settlement with benefits to the class estimated to exceed \$290,000,000 in value. WCC was appointed as Class Counsel representing a California class in the case of *Padilla v. Young's Market Co., LLC*, United States District Court for the Central District of California, Case Number 2:09-08730, and *Wood v. The Martin-Brower Company, L.L.C.*, U.S. District Court for the Northern District of California Court Case Number 10-3289 SI, in which the Court granted final approval on a settlement of wage and hour claims asserted on behalf of truck drivers. WCC was also class counsel in an action entitled *Pollack v. Iams*, Los Angeles County Superior Court, Case No. BC246118, against The IAMS Company on behalf of California Consumers. The Complaint alleged that IAMS engaged in acts which constitute false advertising, unfair business

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<sup>1</sup> Prior to forming WLG in or around 2013, I was one of the founding partners of Wasserman, Comden & Casselman, LLP ("WCC") which was in existence for over 30 years. The references in this paragraph include class action matters in which I was personally involved through either WCC or WLG.

practices, violations of the Consumer Legal Remedies Act and negligent misrepresentation. On June 12, 2003, the Court approved a classwide settlement.

4. The time reflected below was time spent in the prosecution of this case by WLG attorneys and staff. WLG and the other Class Counsel were careful not to expend unnecessary hours and not to duplicate work done by others. The time submitted herein reflects only work done on behalf of the Settlement Class.

#### **WLG'S LODESTAR**

5. Below is a summary of the time spent by WLG's attorneys and staff who were involved in this action, and the lodestar calculation based on the firm's billing rates in effect on January 1, 2019. The summary was prepared at my request from contemporaneous daily time records regularly prepared and maintained by WLG, which are available at the request of the Court.

6. As of January 31, 2019, the total number of recorded hours spent on this litigation by WLG is 571.2 and the lodestar amount for attorney and support staff time, based on the firm's current rates, is \$450,224.60. A breakdown of WLG's lodestar is reflected below:

<b>Name</b>	<b>Position</b>	<b>Hours</b>	<b>Rate</b>	<b>Lodestar</b>
Steve K. Wasserman	Partner	19.00	\$826.00	\$ 15,694.00
Steve K. Wasserman	Partner	36.60	\$864.00	\$ 31,622.40
Kathryn S. Marshall	Associate	74.70	\$826.00	\$ 61,702.20
Kathryn S. Marshall	Associate	218.00	\$864.00	\$188,352.00
Karin R. Leavitt	Associate	80.40	\$685.00	\$ 55,074.00
Karin R. Leavitt	Associate	134.00	\$717.00	\$ 96,078.00
Steven C. Wilhelm	Paralegal	2.50	\$196.00	\$ 490.00
Steven C. Wilhelm	Paralegal	6.00	\$202.00	\$ 1,212.00
<b>TOTAL</b>		<b>571.2</b>		<b>\$450,224.60</b>

7. The hourly rates shown above are consistent with the education, skill and experience of the attorneys and other professionals at other firms. The hourly rates for the partners, associate

attorneys, and professional staff are the rates that have been accepted and approved in other recent class action litigation around the country.

8. As WLG's work on this case is ongoing, I anticipate that WLG's lodestar will increase from the present date to the date this case is finally resolved, in light of work that will be required in connection with finalizing the final approval papers, implementing the Settlement through to its conclusion, communicating with Settlement Class Members, coordinating efforts with Class Counsel, Defendant's Counsel, and the Settlement Administrator, and preparing for and participating in the Final Approval Hearing scheduled for March 19, 2019.

**SUMMARY OF WORK PERFORMED BY WLG**

9. In this matter, my firm made meaningful contributions to the case by initiating the factual and legal investigation, including engaging labs for product testing, engaging in discussions with other Class Counsel concerning strategy, assisting with legal and factual research, attending a mediation, engaging in settlement negotiations and discussions and drafting pleadings and oppositions to motions filed in this case.

10. Working in conjunction with other Class Counsel, WLG conducted the initial case investigation, including product testing and research concerning factual and legal issues prior to filing the Complaint and throughout the case until Settlement; assisted in selecting and retaining Plaintiffs; corresponded with Defendant's counsel on matters in this litigation; assisted with the research of and drafting of the complaints, the amendments thereto, the memorandum in opposition to Defendant's motion to dismiss and the motion to strike class allegations; reviewed and analyzed documents produced by Defendant; engaged in extensive and lengthy settlement negotiations; prepared papers in connection with preliminary approval of settlement; conferred

regarding Settlement Class Members' inquiries about the proposed Settlement; and performed various Settlement-related tasks.

11. WLG will continue to represent the Settlement Class through final approval and completion of the claims administration process.

**WLG'S EXPENSES**

12. The firm has expended \$18,393.37 in unreimbursed expenses, which include such categories as lab testing fees, expert costs, filing fees, and delivery fees to prosecute this action, as follows

<b>EXPENSE</b>	<b>AMOUNT</b>
Telephone	
Travel / Meals	\$1,973.57
Postage	
Filing Fees	\$153.00
Service/Subpoena Fees	
Computer Research	
Delivery Services	\$98.12
Internal Reproduction/Copies	
Advanced Costs to Litigation Fund (used to pay lab testing fees, expert bills, etc.)	\$16,168.68
<b>TOTAL</b>	<b>\$18,393.37</b>

13. The expenses incurred pertaining to this case are reflected in the books and records of this firm. All the expenses incurred were reasonable and necessary to the prosecution of this case.

14. Class Counsel anticipates that there may be additional expenses in preparing for and attending the Final Approval Hearing.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: February 5, 2019

Respectfully submitted,

/s/ Steve K Wasserman

Steve K. Wasserman

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