

EXHIBIT 41

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Counsel for Indirect Purchaser Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

**IN RE: LITHIUM ION BATTERIES
ANTITRUST LITIGATION**

Case No. 13-MD-02420 YGR (DMR)

MDL NO. 2420

**DECLARATION OF E. KIRK WOOD IN
SUPPORT OF INDIRECT PURCHASER
PLAINTIFFS' MOTION FOR AN
AWARD OF ATTORNEYS' FEES AND
REIMBURSEMENT OF EXPENSES ON
BEHALF OF WOOD LAW FIRM, LLC**

**This Document Relates to:
ALL INDIRECT PURCHASER ACTIONS**

1 I, E. Kirk Wood, declare:

2 1. I am the managing member of Wood Law Firm, LLC, Counsel for Indirect
3 Purchaser Plaintiffs (“IPPs” or “Plaintiffs”) in this action. I submit this declaration in support of
4 IPPs’ Motion for an Award of Attorneys’ Fees and Reimbursement of Expenses. I make this
5 declaration based on my personal knowledge and if called as a witness, I could and would
6 competently testify to the matters stated herein.

7 2. My firm has served as counsel to Maury Kim Billingsley and as counsel for IPPs
8 throughout the course of this litigation. The background and experience of Wood Law Firm, LLC
9 and its attorneys are summarized in the curriculum vitae attached hereto as **Exhibit A**.

10 3. Wood Law Firm, LLC has prosecuted this litigation solely on a contingent-fee
11 basis, and has been at risk that it would not receive any compensation for prosecuting claims
12 against the defendants. While Wood Law Firm, LLC devoted its time and resources to this matter,
13 it has foregone other legal work for which it would have been compensated.

14 4. During the pendency of the litigation, Wood Law Firm, LLC performed the
15 following work: met with class representative and provided representation with updates on the
16 status of the litigation, met with class representative to assist with preparation of discovery
17 responses, and helped prepare class representative for his deposition.

18 5. Attached hereto as **Exhibit B** is a billing summary of Wood Law Firm, LLC’s total
19 hours and lodestar, computed at current billing rates, from June 1, 2013 to February 28, 2017.
20 Counsel for Plaintiffs are not seeking attorneys’ fees for any time billed prior to the appointment
21 of lead counsel. *See* Order dated May 17, 2013 (ECF No. 194). The total number of hours spent
22 by Wood Law Firm, LLC during this period of time was 9.1 hours, with a corresponding lodestar
23 based on current rates of \$6,370.00. The lodestar amount reflected in Exhibit B is for work
24 assigned by Lead Counsel, and was performed by professional staff at my law firm. This
25 summary was prepared from contemporaneous, daily time records regularly prepared and
26 maintained by Wood Law Firm, LLC.

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EXHIBIT A

FIRM RESUME

E. Kirk Wood - Managing Partner
Wood Law Firm, LLC
P.O. Box 382434; Birmingham, AL 35238
Phone: (205) 612-0243; Fax: 866-747-3905
ekirkwood1@bellsouth.net

EDUCATION:

BS, University of Alabama 1976; MS, Troy University 1984; JD, Cumberland School of Law 1987

LICENSED:

Alabama and Florida Bar

INSTRUCTION:

Adjunct Professor of Law, University of Alabama, 1992

ADMITTED:

Supreme Court of Alabama; Supreme Court of Florida; US District Court for the Northern District of Alabama; US District Court for the Middle District of Alabama; US District Court for the Northern District of Florida; US Court of Appeals for the Eleventh Circuit; US Court of Appeals for the Fourth Circuit

MEMBER:

American Bar Association; Alabama Bar Association; Florida Bar Association; Birmingham Bar Association; Federal Bar Association

RECENT REPRESENTATIVE MULTIDISTRICT AND CLASS LITIGATION MATTERS:

(All of which are now closed):

In re: TJX Retail Security Breach Litigation

In re: Vioxx Products Liability Litigation

In re: Bausch & Lomb Contact Lens Solution Products Liability Litigation (Plaintiffs Steering Committee)

In re: Heparin Products Liability Litigation (Plaintiffs Steering Committee)

In re: Total Body Formula Products Liability Litigation (Co-Lead and Liaison Counsel; Plaintiffs Executive Committee)

In re: Puerto Rico Cabotage Antitrust Litigation (Plaintiffs Steering Committee)

In re: Countrywide Security Breach Litigation (Plaintiffs Steering Committee)

In re: Hydroxycut Marketing and Sales Practices Litigation

In re: Heartland Payment Systems, Inc. Customer Data Security Breach Litigation
Denise Howerton, et al. vs. Cargill, Inc. (Truvia)

CURRENT MULTI DISTRICT AND PUTATIVE CLASS LITIGATION MATTERS:

In re: Pharmacy Benefit Managers Antitrust Litigation;
In re: Zappos.com, Inc., Customer Data Security Breach Litigation;
In re: The Home Depot, Inc., Customer Data Security Breach Litigation;
In re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010;
In re: DePuy Orthopaedics, Inc. ASR Hip Implant Products Liability Litigation;
In re: DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation;
In re: Stryker Rejuvenate and ABG II Hip Implant Products Liability Litigation;
In re: Blue Cross Blue Shield Antitrust Litigation (Plaintiffs Local Facilitating Counsel; Plaintiffs Steering Committee);
In re: Community Health Systems, Inc., Customer Security Data Breach Litigation;
In re: Target Corporation Customer Data Security Breach Litigation;
Angel Aguiar, et al. vs. Mersiant Company and Whole Earth Sweetener Company, LLC (Pure Via)

EXHIBIT B

IN RE: LITHIUM ION BATTERIES INDIRECT
TIME REPORT - MONTHLY

Firm Name: WOOD LAW FIRM, LLC

Reporting Period: June 1, 2013 - February 28, 2017

- (P) Partner
- (A) Associate
- (LC) Law Clerk
- (PL) Paralegal
- (L) Librarian

- Categories:
- (1) Investigations, Factual Research
 - (2) Drafting Discovery Requests
 - (3) Drafting Discovery Answers/Responses
 - (4) Deposition Taking
 - (5) Deposition Defending
 - (6) Discovery Meet & Confer
 - (7) Document Review

- (8) Drafting Pleadings, Briefs & Pretrial Motions
- (9) Reading/Reviewing Pleadings, Briefs, Discovery, Transcripts, etc.
- (10) Class Certification/Experts
- (11) Litigation Strategy, Analysis & Case Management
- (12) Negotiating Settlements
- (13) Trial and Trial Preparation
- (14) Court Appearance and Prep

ATTORNEYS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	HOURLY RATE	CUMULATIVE HOURS	CUMULATIVE LODESTAR
E. Kirkwood	2.20		3.70						3.20						\$700.00	9.10	\$6,370.00
															\$0.00		
															\$0.00		
															\$0.00		
SUB-TOTAL																	
NON-ATTORNEYS															\$0.00	0.00	0
SUB-TOTAL																	
GRAND TOTAL:																9.10	\$6,370.00

EXHIBIT C

EXHIBIT D

(REDACTED)

