

# **EXHIBIT 26**

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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

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

**DECLARATION OF WILLIAM M.  
STRAUS IN SUPPORT OF INDIRECT  
PURCHASER PLAINTIFFS' MOTION  
FOR AN AWARD OF ATTORNEYS'  
FEES AND REIMBURSEMENT OF  
EXPENSES ON BEHALF OF THE LAW  
OFFICE OF WILLIAM M. STRAUS**

1 I, William M. Straus, declare:

2 1. I am partner in the Law Offices of William M. Straus, 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 William Cabral and as counsel for IPPs  
8 throughout the course of this litigation. The background and experience of the Law Offices of  
9 William M. Straus and its attorneys are summarized in the curriculum vitae attached hereto as  
10 **Exhibit A**.

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

16 4. During the pendency of the litigation, the Law Offices of William M. Straus  
17 performed the following work: Legal research with regard to indirect purchaser claims, client  
18 consultation, drafting of pleadings including Complaint and Discovery documents, exhibit review,  
19 defending deposition, confer with co-counsel as required by case progress.

20 5. Attached hereto as **Exhibit B** is a billing summary of the Law Offices of William  
21 M. Straus total hours and lodestar, computed at current billing rates, from June 1, 2013 to  
22 February 28, 2017. Counsel for Plaintiffs are not seeking attorneys’ fees for any time billed prior  
23 to the appointment of lead counsel. *See* Order dated May 17, 2013 (ECF No. 194). The total  
24 number of hours spent by the Law Offices of William M. Straus during this period of time was  
25 36.30, with a corresponding lodestar based on current rates of \$9,408.00. The lodestar amount  
26 reflected in Exhibit B is for work assigned by Lead Counsel, and was performed by professional  
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DECLARATION OF WILLIAM M. STRAUS IN SUPPORT OF IPPS’ MOTION FOR AN  
AWARD OF ATTORNEYS’ FEES AND REIMBURSEMENT OF EXPENSES ON BEHALF  
OF THE LAW OFFICE OF WILLIAM M. STRAUS; Case No. 13-md-02420-YGR (DMR)

1 staff at my law firm. This summary was prepared from contemporaneous, daily time records  
2 regularly prepared and maintained by the Law Offices of William M. Straus.

3 6. Attached hereto as **Exhibit C** is a list of the various billing rates each attorney and  
4 staff member at my firm has billed at in this case.

5 7. Attached hereto as **Exhibit D** is a compilation of my firm's detailed records at  
6 historical billing rates. The entries in **Exhibit D** have been redacted per the Court's Order in ECF  
7 No. 1803.

8 8. The Law Offices of William M. Straus is not seeking reimbursement for expenses  
9 in this Declaration.

10 9. I have reviewed the time and expenses reported by the Law Offices of William M.  
11 Straus in this case which are included in this declaration, and I affirm that they are true and  
12 accurate.

13  
14 I declare under penalty of perjury under the laws of the United States that the foregoing is  
15 true and correct.

16 Executed on May 25, 2017 at New Bedford, Massachusetts.

17  
18 */s/ William M. Straus*

19 \_\_\_\_\_  
20 William M.. Straus



# **EXHIBIT A**

# Exhibit A

William M. Straus

Curriculum Vitae

William M. Straus is the sole practicing attorney in the Law Offices of William M. Straus located in New Bedford, Massachusetts.

Address: 15 Hamilton Street  
New Bedford, MA 02740  
508-992-1260  
508-332-5121 (facsimile)

[rep.straus@verizon.net](mailto:rep.straus@verizon.net)

## Professional Summary

Mr. Straus has been engaged in the active practice of law since December 1982 with extensive civil and criminal litigation experience. From 1982 to 1988 he was an Assistant District Attorney in the office of the Bristol County Massachusetts District Attorney representing the Commonwealth in scores of Bench and Jury trials and before the Grand Jury.

His civil practice has included matters in the District, Superior and Probate courts of the Commonwealth and the Federal District Court of Massachusetts. He is a member of the bar in Massachusetts and Virginia. His practice includes trial level and appellate work, having argued several cases on appeal before the Massachusetts Appeals Court and the Massachusetts

Supreme Judicial Court. His civil practice has included over a hundred administrative agency proceedings and arbitrations on behalf of clients.

His civil work has also included participation as Plaintiff's counsel in prior class action litigation involving indirect purchasers including *In Re Vitamin C Litigation*, 1:06-MD-01738 (BMC) (JO), Eastern District of New York; and *In Re Static Random Access Memory (SRAM) Antitrust Litigation*, MDL No 1819.

### **Education**

Middlebury College  
Middlebury Vermont  
BA, 1978 *cum laude*

Georgetown University  
Washington, D.C.  
JD, 1982

Harvard University  
Cambridge, MA  
MPA, 2007

# **EXHIBIT B**

**IN RE: LITHIUM ION BATTERIES INDIRECT  
REPORTED HOURS AND LODESTAR AT CURRENT HOURLY RATES**

Law Offices of William M. Straus

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

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

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

ATTORNEYS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	TOTAL HOURS	CURRENT HOURLY RATE	TOTAL LODESTAR
William M. Straus 2013-15			9.20		0.70		4.20								14.10	\$250.00	\$3,525.00
William M. Straus 2016-17			3.80		14.40		0.30					3.70			22.20	\$265.00	\$5,883.00
															0.00	\$0.00	\$0.00
															0.00	\$0.00	\$0.00
															0.00	\$0.00	\$0.00
															0.00	\$0.00	\$0.00
<b>SUB-TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>13.00</b>	<b>0.00</b>	<b>15.10</b>	<b>0.00</b>	<b>4.50</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3.70</b>	<b>0.00</b>	<b>0.00</b>	<b>36.30</b>		<b>\$9,408.00</b>
<b>NON-ATTORNEYS</b>																	
															0.00	\$0.00	\$0.00
															0.00	\$0.00	\$0.00
															0.00	\$0.00	\$0.00
															0.00	\$0.00	\$0.00
															0.00	\$0.00	\$0.00
															0.00	\$0.00	\$0.00
<b>SUB-TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>\$0.00</b>
<b>GRAND TOTAL:</b>	<b>0.00</b>	<b>0.00</b>	<b>13.00</b>	<b>0.00</b>	<b>15.10</b>	<b>0.00</b>	<b>4.50</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3.70</b>	<b>0.00</b>	<b>0.00</b>	<b>36.30</b>		<b>\$9,408.00</b>

# **EXHIBIT C**



# **EXHIBIT D**

**(REDACTED)**

LAW OFFICE

**WILLIAM M. STRAUS**

15 HAMILTON STREET

NEW BEDFORD, MASSACHUSETTS 02740

TELEPHONE (508) 992-1260

FAX: (508) 332-5121

Rep.straus@verizon.net

ADMITTED TO PRACTICE:  
MASSACHUSETTS  
VIRGINIA

May 14, 2017

Jennie Anderson  
Andrus Anderson LLP  
155 Montgomery Street, Suite 900  
San Francisco, CA 94104

Sent by email only

Re: *Lithium Ion Batteries Antitrust Litigation*  
No. 13-MD-02420 YGR (DMR) – Time and Expense Submission

The within time records are submitted based upon my work as local counsel for Massachusetts Plaintiff William Cabral in these proceedings. I have reviewed the Notices regarding the submissions requested for the time period June 1, 2013 through February 28, 2017 and am aware of the requirements as provided. I was not, however, included on the Service List from Lead Counsel for those notices and was only notified within the last few days.

Billing rates below reflect my rate for this type of work during the periods identified.

Dated	Cat#	Purpose	
6/28/13	7	Review correspondence from Counsel re Protective Order	.2
6/30/13	7	Review of Protective Order,	.8
6/30/13	7	Review Draft Complaint	1.3
7/1/13	7		1.1
7/2/13	7		.1
9/28/14	7	Doc prep and review of Preservation Declaration	.4

9/28/14	7	Correspondence w/ [REDACTED]	.2
4/23/15	7	Correspondence from counsel re Discovery	.1
4/27/15	3	Correspondence with counsel re Discovery Document Requests and Interrogatories	.3
5/5/15	3	Conference call w/co-counsel & [REDACTED]	.3
5/5/15	3	Conference call w/ [REDACTED] and counsel	.5
5/11/15	3	Review correspondence from Counsel re Interr. Response	.2
5/11/15	3	Correspondence with [REDACTED]	.1
6/10/15	3	Review correspondence from Counsel re photo Discovery request	.2
6/16/15	3	Mtg. [REDACTED]	.4
9/14/15	3	Correspondence with counsel re Discovery	.3
9/16/15	3	Correspondence with counsel re Discovery	.2
9/21/15	3	Correspondence with counsel re Discovery	.1
9/22/15	3	Review correspondence from counsel	.6
9/25/15	3	Review Interr. Responses and conf call w/ [REDACTED]	2.7
11/5/15	3	Review of Suppl. Discovery Responses w/ [REDACTED]	2.2
11/12/15	3	Correspondence with counsel re Supplementary Response Verif.	.2
11/13/15	3	Prep of Discovery materials and transmit to counsel	.9
12/3/15	5	Scheduling Correspondence for depo.	.2
12/7/15	5	Scheduling correspondence with counsel re [REDACTED] deposition	.1
12/8/15	5	Scheduling correspondence with counsel re [REDACTED] deposition	.1
12/11/15	5	Scheduling correspondence with counsel re [REDACTED] deposition	.2
12/14/15	5	Scheduling correspondence with counsel re [REDACTED] deposition	<u>.1</u>

			Total at \$250.00 hourly	14.1
Date	Cat#	Purpose		
1/4/16	5	Correspondence w/counsel & [REDACTED]		.5
1/5/16	5	Correspondence w/counsel and [REDACTED]		.4
1/7/16	5	Correspondence w/counsel re depo prep session		.2
1/8/16	5	Correspondence w/counsel and review of depos materials		.6
1/11/16	5	Correspondence w/counsel re scheduling depos prep		.2
1/12/16	5	Depo phone prep conference call and pre-call with [REDACTED]		2.6
1/13/16	5	Depo prep mtg. with counsel and [REDACTED] in Boston		2.4
1/14/16	5	Attendance at Deposition of [REDACTED] and prep		7.5
3/14/16	3	Correspondence with counsel re Discovery responses		.2
3/14/16	3	Case review with [REDACTED]		.4
3/19/16	12	Review settlement terms with Sony and correspondence [REDACTED] [REDACTED]		.8
3/20/16	3	Telephone call with [REDACTED] re: Discovery parameters		.4
3/20/16	3	Correspondence w/counsel re Discovery		.2
3/24/16	3	Correspondence to counsel re Discovery conference call		.2
3/28/16	3	Preparation for Discovery conference call		.6
3/29/16	3	Participation in Discovery conference call		1.3
3/31/16	3	Telephone call with [REDACTED]		.3
4/11/16	3	Correspondence with counsel re: [REDACTED]		.2
7/13/16	7	Correspondence w/C. Voight re Class Notice		.3
11/22/16	12	[REDACTED]		1.2

11/22/16 12	[REDACTED]	.5
12/16/16 12	[REDACTED]	1.2

Total at \$265 hours **22.2**

<b>Summary:</b>	<b>14.1 hours @ \$250</b>	<b>\$3,525.00</b>
	<b>22.2 hours @ \$265</b>	<b>\$5,883.00</b>
	<b>Total Submitted</b>	<b>\$9,408.00</b>

Co-Counsel involved: Carla Voight, Tim Batin, Demetrius Lambrinos, Krysta Kauble Pachman.  
Several other co-counsel cc'd at times.