

ZWERLING, SCHACTER, ZWERLING, LLP
ROBERT S. SCHACHTER
41 Madison Avenue
New York, NY
Telephone: 212-223-3900

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LINCOLN ADVENTURES, LLC, a	)	No. 2:08-cv-00235-CCC-JAD
Delaware Limited Liability Company,)	
and MICHIGAN MULTI-KING, INC., a	)	<u>CLASS ACTION</u>
Michigan Corporation, on Behalf of)	
Themselves and All Those Similarly	)	DECLARATION OF ROBERT S.
Situated,	)	SCHACHTER FILED ON BEHALF
	)	OF ZWERLING, SCHACHTER,
Plaintiffs,	)	ZWERLING, LLP IN SUPPORT OF
	)	PLAINTIFFS' APPLICATION FOR
vs.	)	AWARD OF ATTORNEYS' FEES
	)	AND EXPENSES/CHARGES AND
THOSE CERTAIN UNDERWRITERS	)	SERVICE AWARDS
AT LLOYD'S, LONDON MEMBERS)	
OF SYNDICATES, et al.)	
)	
Defendants.)	
)	

I, Robert S. Schachter, declare as follows:

1. I am a partner in the firm Zwerling, Schachter & Zwerling, LLP (“Zwerling Firm”). I am submitting this declaration in support of Plaintiffs’ Application for an Award of Attorneys’ Fees and Expenses/Charges and Service Awards in connection with services rendered in the above-entitled action.

2. This firm was appointed co-lead counsel for Plaintiffs in this MDL matter.

3. The information in this declaration regarding the firm’s time and expenses is taken from time and expense printouts and documentation prepared and/or maintained by the firm in the ordinary course of business. I am the partner who oversaw and/or conducted the day-to-day activities in the litigation and I reviewed these printouts (and backup documentation where necessary or appropriate) in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries on the printouts as well as the necessity for, and reasonableness of, the time and expenses committed to the litigation. As a result of this review, I believe that the time reflected in the firm’s lodestar calculation and the expenses for which payment is sought as set forth in this declaration are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the litigation. In addition, I believe that the

expenses are all of a type that would normally be charged to a fee-paying client in the private legal marketplace.

4. The number of hours spent on this litigation from inception through May 31, 2019 by my firm is 8,927.3. A breakdown of the lodestar is provided in Exhibit A. The lodestar amount for attorney and paralegal time based on the firm's current rates is \$5,825,649.00. The hourly rates shown in Exhibit A are the usual and customary rates set by the firm for each individual.

5. From inception through May 31, 2019 my firm's total expenses/charges in connection with the prosecution of the litigation are \$402,680.30. Those expenses are summarized by category in Exhibit B. Examples of such expenses are:

(a) Transportation, Hotels & Meals: \$70,793.62. In connection with the prosecution of this case, the firm has paid for travel expenses to, among other things, take depositions, attend court hearings, attend counsel strategy meetings, and attend mediations. The date, destination and purpose of each trip is set forth in Exhibit C.

(b) Photocopies: \$15,879.30. In connection with this case, the firm made 158,793 in-house black and white copies, charging \$.10 per page, for a total of \$15,879.30. Each time an in-house copy machine is used, our billing system requires that a case or administrative billing code (4805) be entered and that is how the 158,793 copies were identified as related to this case.

(c) Online Legal and Financial Research: \$8,681.23. This category encompasses access to legal databases, such as Westlaw and PACER, used to conduct legal and factual research in this matter.

6. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

7. The identification and background of my firm and its partners is attached hereto as Exhibit D.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of August, 2019.



Robert S. Schachter

EXHIBIT A

EXHIBIT A***Lincoln Adventures, LLC, et al. v. Those Certain Underwriters at Lloyd's
London Members of Syndicates, et al.*****No. 2:08-cv-00235-CCC-JAD****Zwerling, Schachter & Zwerling, LLP
Inception through May 31, 2019**

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Jeffrey C. Zwerling	(P)	100.9	875	\$88,288.00
Robert S. Schachter	(P)	2,279.4	875	\$1,994,475.00
Robin F. Zwerling	(P)	1.2	875	\$1,050.00
Susan Salvetti	(P)	52.4	875	\$45,850
Richard Speirs	(P)	.3	625	\$188.00
Dan Drachler	(OC)	708.9	775	\$549,398.00
Hillary Sobel	(SA)	5.5	725	\$3,988.00
Ana Cabassa	(A)	2,900.6	625	\$1,812,875.00
Justin Tarshis	(A)	250.5	550	\$137,775.00
Kevin McGee	(A)	2.2	470	\$1,034.00
Jonathan Platnik	(A)	1451.8	475	\$689,605.00
Ruth Herring	(A)	17.1	350	\$5,985.00
Donatella Kehone	(A)	855.4	475	\$406,315.00
Paralegals				
Jayne C. Nykolyn	(PL)	37.9	295	\$11,181.00
Willy T. Gonzalez	(PL)	263.2	295	\$77,644.00
Shareholder Relations				
TOTAL		8,927.3		\$5,825,649.00
(P) Partner				
(OC) Of Counsel				
(SA) Senior Associate				
(A) Associate				
(PL) Paralegal				

EXHIBIT B

Report Run: 7/16/2019 6:56:05PM

Zwerling, Schachter & Zwerling, LLP

Page 1 of 2

By: Ronne J. Sonkin

Costs Recap

ProVantage WIP 12

Costs dated from Jan 1 1995 thru May 31 2019

Recap by Cost Code

Code	Description	Count	Unbilled	Billed/Unpaid	Billed/History	Total Billed	Non-billable
AF	Airfare	64	30,769.37				
AS	Attorney Services	1	2,895.00				
Conf	Conference Exp	2	565.63				
CT	Court Costs	15	2,723.00				
DB	Database Research/Online Research	50	6,177.73				
DDB	Document Database Access	2	2,503.50				
EXPERT	Expert	2	9,581.25				
in fax	Fax-Incoming	4	18.50				
FF	Filing Fee	1	5.00				
Hotel	Hotel	33	24,040.83				
LF	Litigation Fund	9	262,500.00				
MLS	Meals	93	6,029.13				
Mediator	Mediator	3	13,425.84				
OT	Other	1	3,165.00				
FX	Overnight Shipment	56	3,159.92				
PE	Photocopy - External	1	407.17				
PI	Photocopy - Internal	64	15,879.30				
Secy	Secretarial OT	11	1,453.88				
TEL	Telephone	86	7,425.96				
TR	Travel	198	9,954.29				
Totals		696	402,680.30	0.00	0.00	0.00	0.00

Recap by Type

	Count	Unbilled	Billed/Unpaid	Billed/Paid	Total Billed	Non-billable
Cash Costs	548	373,605.21				
Non-Cash Costs	148	29,075.09				

EXHIBIT C

EXHIBIT C

***Lincoln Adventures, LLC, et al. v. Those Certain Underwriters at Lloyd's
London Members of Syndicates, et al.,
No. 2:08-cv-00235-CCC-JAD***

Zwerling, Schachter & Zwerling, LLP

Transportation, Hotels and Meals: \$70,793.62

<i>NAME</i>	<i>DATE CHARGE POSTED</i>	<i>DESTINATION</i>	<i>PURPOSE</i>
Ana M. Cabassa	12/17/12	Boca Raton, FL	Depositions of Schubert & Nicolai
Ana M. Cabassa	12/19/12	Boca Raton, FL	Depositions of Schubert & Nicolai
Ana M. Cabassa	2/22/13	San Diego, CA	Conference with Co-Counsel on briefing motion to dismiss and Depositions
Dan Drachler	3/20/13	San Diego, CA	Conference with Co-Counsel on briefing motion to dismiss
Dan Drachler	4/15/13	New York , NY	Conference with Co-Counsel and expert
Dan Drachler	5/22/13	Seattle, WA	Conference with firm lawyers
Dan Drachler	7/27/13	Seattle, WA	Conference with firm lawyers
Robert S. Schachter	7/31/13	New York, NY	Preparations for Depositions in London
Robert S. Schachter	8/1/13	New York, NY	Preparations for Depositions in London
Robert S. Schachter	8/1/13	New York , NY	Preparations for Depositions in London
Ana M. Cabassa	8/5/13	London	Depositions
Robert S. Schachter	8/6/13	New York, NY	Preparation for London Depositions
Robert S. Schachter	8/11-12/13	Chicago, Ill.	Attendance at All Counsel Meeting

<i>NAME</i>	<i>DATE CHARGE POSTED</i>	<i>DESTINATION</i>	<i>PURPOSE</i>
Robert S. Schachter	8/17/13	London	Mediation
Robert S. Schachter	8/18/13	London	Mediation
Dan Drachler	8/20/13	London	Deposition
Robert Nicolai (Client)	8/21/13	London	Mediation
Dan Drachler	8/26/17	Chicago, Ill.	Attendance at All Counsel Meeting
Robert S. Schachter	8/27/13	London	Depositions
Ana M. Cabassa	9/9/13	Chicago, Ill.	Mediation
Robert S. Schachter	9/12/13	London	Mediation
Dan Drachler	9/15/13	London	Mediation
Robert S. Schachter	9/19/13	London	Mediation
Jeffrey C. Zwerling	9/24/13	London	Mediation
Ana M. Cabassa	10/17/13	Fort Lauderdale, FL	Client meeting
Robert S. Schachter	11/2/13	Newark, NJ	Status Conference
Robert S. Schachter	3/14/14	San Diego, CA	Meeting with Co-Counsel
Dan Drachler	4/1/14	San Diego, CA	Meeting with Counsel
Robert S. Schachter	6/2/14	New York, NY	Motion to Dismiss
Dan Drachler	6/14/14	New York, NY	New York, NY
Dan Drachler	6/23/14	Chicago, Ill.	Meeting with Expert
Robert S. Schachter	6/24/14	Chicago, Ill.	Meeting with Expert
Robert S. Schachter	8/1/14	Chicago, Ill.	Meeting with Expert
Robert S. Schachter	5/26/14	New York, NY	Motion to Dismiss

<i>NAME</i>	<i>DATE CHARGE POSTED</i>	<i>DESTINATION</i>	<i>PURPOSE</i>
Robert S. Schachter	5/26/14	New York, NY	Motion to Dismiss
Robert S. Schachter	10/1/15	New York	Conference regarding preparation for additional Discovery
Dan Drachler	11/14/15	New York, NY	Status Conference
Robert S. Schachter	1/13/16	New York, NY	Settlement Meeting
Robert S. Schachter	5/26/16	New York, NY	Mediation
Robert S. Schachter	8/25-27/16	New York, NY	Settlement Meeting
Robert S. Schachter	10/3/16	San Diego, CA	Preparation Meeting on Motion to Dismiss SAC
Robert S. Schachter	1/5/17	New York, NY	Motion to Dismiss Hearing
Robert S. Schachter	6/12/17	New York, NY	Settlement Meeting
Dan Drachler	6/28/17	New York, NY	Settlement Meeting
Robert S. Schachter – Robert Nicolai	4/11/18	New York, NY	Mediation
Robert S. Schachter	4/12/18	New York, NY	Mediation
Robert S. Schachter	4/17/18	New York, NY	Mediation
Dan Drachler	4/21/18	New York, NY	Mediation
Robert S. Schachter	6/16/18	New York, NY	Discovery Motions
Robert S. Schachter	7/27/18	New York, NY	Drafting Settlement Documents
Robert S. Schachter	9/5/18	New York, NY	Drafting Settlement Documents
Robert S. Schachter	9/27/18	New York, NY	Drafting Settlement Documents
Robert S. Schachter	11/25/18	San Diego, CA	Meeting with Co-Counsel
Robert S. Schachter	1/26/19	New York, NY	Drafting Settlement Documents

<i>NAME</i>	<i>DATE CHARGE POSTED</i>	<i>DESTINATION</i>	<i>PURPOSE</i>
Robert S. Schachter	2/7/19	New York, NY	Hearing before Magistrate Dickson
Robert S. Schachter	4/4/19	New York, NY	Drafting Settlement Documents

EXHIBIT D

EXHIBIT D

***Lincoln Adventures, LLC, et al. v. Those Certain Underwriters at Lloyd's
London Members of Syndicates, et al.,
No. 2:08-cv-00235-CCC-JAD***

Zwerling, Schachter & Zwerling, LLP

**FIRM RESUME OF
ZWERLING, SCHACHTER & ZWERLING, LLP**

The firm of Zwerling, Schachter & Zwerling, LLP was formed on January 1, 1985 (the "Zwerling Schachter"), and is currently involved in numerous class actions in the areas of securities fraud, consumer fraud, and antitrust litigation.

Antitrust / Consumer Litigation

The Zwerling Schachter has acted or is presently acting as a lead counsel or member of an executive committee in numerous class actions involving antitrust claims and deceptive trade practices, including: *In re Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litigation*, 18-MD-2819 (E.D.N.Y.) ("*Restasis Antitrust Litigation*"; *In re Cipro Cases I and II*, JCCP Nos. 4154 and 4220 (Cal. Super.); *In re Ciprofloxacin Hydrochloride Antitrust Litigation*, MDL No. 1383 (E.D.N.Y.); *In re OxyContin Litigation*, MDL No. 1603 (S.D.N.Y.); *In re Insurance Brokerage Antitrust Litigation*, MDL No. 1663 (D.N.J.); *In re Neurontin Antitrust Litigation*, MDL No. 1479 (D.N.J.); *In re Tamoxifen Citrate Antitrust Litigation*, MDL No. 1408 (E.D.N.Y.); *Karofsky v. Abbott Laboratories*, No. CV-95-1009 (Me. Super. Ct. Cumberland County) (as well as in 10 related cases in other state courts); *In re Lorazepam and Clorazepate Antitrust Litigation*, MDL No. 1290 (D.D.C.) (as well as in 11 related cases in state courts); *Newman v. DuPont Merck Pharmaceutical Company*, No. 788358 (Cal. Super. Ct. Orange County); *Pickett v. Holland America Line-Westours, Inc.*, 6 P.3d 63 (Wash. Ct. App. 2000); *Latman v. Costa Cruise Lines, N.V.*, 758 So. 2d 699 (Fla. Dist. Ct. App. 2000); *Renaissance Cruises, Inc. v. Glassman*, 738 So. 2d 436 (Fla. Dist. Ct. App. 1999) (as well as in 7 related cases in other state courts); *Garcia v. General Motors Corporation*, No. L-4394-95 (N.J. Super. Ct.); *In re Playmobil Antitrust Litigation*, No. 9:95-CV-2896 (JS) (E.D.N.Y.); and *Boni v. America Online Inc.*, C.A. No. 95-C-07 (Del. Ch.) and *Feige v. America Online Inc.*, Index No.

118333/95 (N.Y. Sup. Ct. N.Y. County) (as well as other related cases in state courts).

In the antitrust area, Zwerling Schachter is currently Liaison Counsel for indirect purchaser plaintiffs in the *Restasis Antitrust Litigation*. In that capacity, the firm participates in all decision-making in connection with the prosecution of the litigation and serves as the direct liaison with the Court and other parties.

Zwerling Schachter has represented union health and welfare funds in litigation to recover damages for price-fixing and other anti-competitive behavior for over 20 years. Such actions have included the *Norvir Antitrust Litigation*, the *Tamoxifen Antitrust Litigation*, the *Lorazepam and Clorazepate Antitrust Litigation*, and the *Ciprofloxacin Hydrochloride Antitrust Litigation*. In both the federal MDL and the California *Cipro* cases, the firm served as Co-Lead Counsel challenging pay-for-delay pharmaceutical agreements on behalf of a class of indirect purchasers of the drug ciprofloxacin. As Co-Lead Counsel in California, Zwerling Schachter was able to revive a case that had been dismissed by numerous courts and abandoned by most of plaintiffs' counsel. In the process, California Co-Lead Counsel were able to reverse a significant error in the application of antitrust law to pharmaceutical reverse payment agreements and achieve a total settlement of \$399.1 million; a total in excess of plaintiffs' expert's estimate of single damages.

In *In re Abbott Laboratories Norvir Antitrust Litigation*, Zwerling Schachter represented the SEIU International Health Fund ("SEIU") against Abbott Laboratories in an action for monopoly leveraging under Section 2 of the Sherman Antitrust Act, as well as the California Unfair Competition law and state law unjust enrichment. In August 2008, the parties reached a settlement whereby thirteen not-for-profit organizations shared almost \$5 million in Cy Pres funds.

Zwerling Schachter was appointed co-lead counsel for plaintiffs in numerous related indirect purchase actions brought against Mylan Laboratories, Inc. regarding injury to competition and monopolization, as well as price fixing. Those actions included an action in federal court, *In re Lorazepam & Clorazepate Antitrust Litigation*, and resulted in settlements of over \$100 million. The plaintiffs represented by Zwerling Schachter included several union health funds and private insurers.

Zwerling Schachter was co-lead counsel and a member of the Executive Committee in eleven actions filed against the major pharmaceutical manufacturers alleging violations of state antitrust laws for charging higher prices to consumers who purchased brand name prescription drugs from retail pharmacies. Those cases resulted in a \$65 million settlement. The courts presiding over those cases have commented on the Zwerling Schachter 's expertise:

- I think the lawyering in this case is most commendable. I think that both sides have accorded themselves in a manner that allows us to be proud of the profession. . . .

Transcript of Hearing at 16-17, *Kerr v. Abbott Laboratories*, No. 96-2837 (Minn. Dist. Ct. Nov. 24, 1998).

- [T]his Court, in particular, has been helped along every step of the way by some outstanding lawyering You can hardly say that there's been anything but five star attorneys involved in this case.

Transcript of Hearing at 31 & 33, *Scholfield v. Abbott Laboratories*, No. 96 CV 460 (Wis. Cir. Ct. Oct. 5, 1998).

- I think the quality of counsel is excellent.

Transcript of Hearing at 28, *McLaughlin v. Abbott Laboratories*, No. CV 95-628 (Ariz. Super. Ct. Oct. 28, 1998).

- I'll join my learned colleagues from this and other jurisdiction[s] in commending counsel in arriving at something that represents a great deal of hard work and a great deal of ingenuity in putting together a settlement of this magnitude and complexity, and especially the cost effective way in which this settlement is proposed to be distributed.

Transcript of Hearing at 17, *Karofsky v. Abbott Laboratories*, No. CV-95-1009 (Me. Super. Ct. Dec. 2, 1998).

In *Insurance Brokers*, settlements totaling over \$198 million were reached with the various defendant groups. Zwerling Schachter was also one of the three class counsel in *Rodriguez v. West Publishing Corporation*, No. 2:05-cv-3222

R(MCx) (C.D. Cal.), where a \$49 million settlement of antitrust claims was approved by the Court and affirmed by the Ninth Circuit Appeals on behalf of a class of law graduates enrolled in the BAR/BRI bar review courses.

In addition, Zwerling Schachter represented consumers who were victims of overcharging in the sale of toys in *In re Playmobil Antitrust Litigation*. Judge Seybert complimented the work of Class Counsel, including Zwerling Schachter, stating in her opinion certifying the Class:

As set forth in greater detail in the firm resumes...: (1) Zwerling, Schachter & Zwerling, LLP [and three other firms]...all have extensive familiarity with the prosecution of complex litigations, class actions and specifically, antitrust litigations. This is further borne out by counsels' submissions and conduct to date before this Court.

In re Playmobil Antitrust Litigation, 35 F. Supp. 2d 231, 245 (E.D.N.Y. 1998) (citation omitted).

In the area of deceptive trade practices, Zwerling Schachter was lead counsel in coordinated nationwide actions against the world's leading passenger cruise lines regarding their advertising practices concerning "port charges." (*Cicogna v. Royal Caribbean Cruises, Ltd.*, No. 96-8075 (Fla. Cir. Ct. Dade County); *Espinet v. Kloster Cruise Ltd.*, No. 96-8076 (Fla. Cir. Ct. Dade County); *Bellikoff v. Celebrity Cruises Inc.*, No. 96-8077 (Fla. Cir. Ct. Dade County); *Hackbarth v. Carnival Cruise Lines Inc.*, No. 96-8078 (Fla. Cir. Ct. Dade County); *Glassman v. Renaissance Cruises, Inc.*, No. 96-5490 (Fla. Cir. Ct. Broward County); *Pickett v. Holland America Line-Westours, Inc.*, No. 96-2-10831 (Wash. Super. Ct. King County) ("*Pickett*"), *Barton v. Princess Cruises Inc.*, No. BC 148448 (Cal. Super. Ct. Los Angeles County); *Millheiser v. Dolphin Cruise Line*, No. 96-18146 (Fla. Cir. Ct. Dade County); *Latman v. Costa Cruise Lines N.V.*, No. 96-18139 (Fla. Cir. Ct. Dade County); and *Cronin v. Cunard Cruise Line Ltd.*, Index No. 115899/96 (N.Y. Sup. Ct. N.Y. County)). These cases resulted in settlements in excess of \$100 million.

In addition, Zwerling Schachter was involved in cases regarding defective automobile brakes (*McGill v. General Motors Corporation*, Index No. 15525/95 (N.Y. Sup. Ct. Bronx County) (related to *Garcia v. General Motors Corporation*, No. L-4394-95 (N.J. Super. Ct.))).

Other Complex Litigation

Zwerling Schachter represents numerous Indian Tribes and Native Villages seeking relief from pharmaceutical manufacturers and distributors of prescription opioid drugs in *Inre: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio). Zwerling Schachter serves on the Tribal settlement committee, and helped organize and draft an amicus brief submitted on behalf of over 450 Tribes throughout the United States.

In *County of Nassau v. Hotels.com, L.P.*, No. 2:06-cv-5724 (ADS) (E.D.N.Y.), Zwerling Schachter represents Nassau County (NY) in a class action seeking to recover unpaid taxes from internet-based hotel reservation companies on behalf of a class consisting of all New York counties and municipalities.

Zwerling Schachter has been counsel in high profile constitutional and civil rights actions. In *Haley v. Pataki*, No. 3:95-cv-550 (TJM) (N.D.N.Y.), the firm obtained an order forcing the Governor of the State of New York to stop withholding salaries from legislative employees in an attempt to coerce members of the State Legislature to vote on his State budget. In a related case, *Dugan v. Pataki*, Index No. 16341/95 (N.Y. Sup. Ct. Kings County), the Zwerling Schachter obtained the same relief for the elected members of the State Legislature.

The Zwerling Schachter has represented the New York City Council in *Mayor of New York v. Council of New York*, Index No. 402354/95 (N.Y. Sup. Ct. N.Y. County), an action in which the Mayor challenged the legislative powers of the City Council in connection with the establishment of a board to review allegations of police corruption.

The Zwerling Schachter was an active member of the 9/11 Union Project where it provided legal representation *pro bono* for low-income victims of the World Trade Center attacks and their families.

Securities Litigation

The Zwerling Schachter has acted or is presently acting as a lead counsel or as a member of an executive committee for plaintiffs in many securities related lawsuits, including: *Zoidis v. T. Rowe Price Associates, Inc.*, No. 1:16-cv-02786-

MJG (D.Md.); *Kennis v. Metropolitan West Asset Management, LLC*, No. 2:15-cv-08162 (C.D. Cal.) GW-FFM; *Redus-Tarchis v. New York Life Investment, LLC*, No. 2:14-cv-07991(D.N.J., Newark Division)-WHW-CLW; *Tumpowsky v. Harbor Capital Advisors, Inc.*, No. 1:14-cv-07210 (N.D. Ill., Eastern Division); *Hebda v. Davis Select Advisors*, No. 14-cv-4318 (S.D.N.Y.); *The Lynn Kennis Trust v. First Eagle Investment Management, LLC*, No. 1:14-cv-00585 (D. Del.); *Goodman v. J.P. Morgan Investment Management, Inc.*, No. 2:14 -cv-00414 (S.D. Ohio)-GLF-NMK; *Clancy v. BlackRock Investment Management, et al.*, No. 3:14-cv-01165 (D.N.J.)(JAP)(DEA); *McClure v. Russell Investment Management Company*, No. 1:13-cv-12631(D.Mass)-LTS; *Kasilag v. Hartford Investment Financial Services, LLC*, No. 11-cv-1083 (D.N.J.); *Toomey v. Hofhines*, No. 1:09-cv-613-S-EJL-MHW (D. Idaho); *McCoy v. Cullum & Burks Securities, Inc.*, No. 8:09-cv-1084-DOC (RNBx) (C.D. Cal.) (“*Medical Capital Securities Litigation*”); *Billitteri v. Securities America, Inc.*, No. 3:09-cv-1568-F (N.D. Tex.) (“*Provident Royalties Litigation*”); *Anwar v. Fairfield Greenwich Limited*, Master File No. 1:09-cv-118 (VM) (S.D.N.Y.) and *In re Santander Optimal Securities Litigation*, No. 1:09-cv-20215-PCH (S.D. Fla.), both of which seek recovery on behalf of investors in “feeder funds” that in turn invested with Bernard L. Madoff Securities, LLC.; *In re Citigroup Auction Rate Securities Litigation*, No. 1:08-cv-3139 (LTS) (S.D.N.Y.); *In re NYMEX Holdings Shareholder Litigation*, C.A. No. 3621 (VCN) (Del. Ch.); *In re Vonage Initial Public Offering (IPO) Securities Litigation*, No. 3:07-cv-177 (FLW) (D.N.J.); *In re BP Prudhoe Bay Royalty Trust Securities Litigation*, No. C06-1505 MJP (W.D. Wash.); *Diana Allen Life Insurance Trust v. BP plc*, No. 1:06-cv-14209 (PAC) (S.D.N.Y.); *In re First BanCorp Securities Litigation*, No. 3:05-cv-2148 (GAG) (D.P.R.); *Fox v. Levis*, No. 1:07-cv-3252 (RO) (S.D.N.Y.); *In re Silicon Image, Inc. Securities Litigation*, Master File No. C 05-456 (MMC) (N.D. Cal.); *In re Old Banc One Shareholders Securities Litigation*, No. 00C2100 (N.D. Ill.); *In re Network Associates Derivative Litigation*, No. CV 781854 (Cal. Super. Ct. Santa Clara County); *In re Telxon Corporation Securities Litigation*, No. 5:98-cv-2876 (KMO) (N.D. Ohio); *Hayman v. PricewaterhouseCoopers LLP*, No. 1:01-cv-1078 (KMO) (N.D. Ohio); *In re Corrections Corporation of America Shareholder Litigation*, Master File No. 98-1257-iii (Tenn. Ch.); *In re Adaptec Inc. Derivative Litigation*, No. CV 772590 (Cal. Super. Ct. Santa Clara County); *In re Pacific Scientific Securities Litigation*, No. SACV-96-1106-LHM(EEEx) (C.D. Cal.); *Kaplan v. Prins Recycling Corporation*, No. 2:96-cv-2444 (WHW) (D.N.J.); *In re Health Management Inc. Securities Litigation*, No. 9:96-cv-889 (ADS) (E.D.N.Y.); *Weikel v. Tower Semiconductor, Ltd.*, No. 2:96-cv-3711 (AJL) (D.N.J.); *In re Bennett Funding Group, Inc. Securities Litigation*, No. 1:96-cv-

2583 (JES) (S.D.N.Y.); *In re Horizon/CMS Healthcare Corporation Securities Litigation*, Master File No. 1:96-cv-442 BB/LCS (D.N.M.); *Rosenberg v. Stauth*, No. 5:96-cv-1808-M (W.D. Okla.); *Solomon v. Armstrong*, C.A. No. 13515 (Del. Ch.) (the “GM/EDS Split-off Litigation”); *In re Archer Daniels Midland Company Derivative Litigation*, C.A. No. 14403 (Del. Ch.); *In re American Pacific Securities Litigation*, No. CV-S-93-576-PMP (D. Nev.); *McNeil v. Austin*, Index No. 33189/91 (N.Y. Sup. Ct. N.Y. County), *In re Foodmaker/Jack-in-the-Box Securities Litigation*, No. C93-517 WDL (W.D. Wash.); *In re Ames Department Stores, Inc. Stock Litigation*, No. 2:90-cv-27 (PCD) (D. Conn.); *In re General Development Corporation Securities Litigation*, No. 1:90-cv-691 (SM) (S.D. Fla.); *In re Republic Pictures Corporation Shareholders Litigation*, C.A. No. 13122 (Del. Ch.); *In re Blockbuster Entertainment Corporation Shareholders Litigation*, C.A. No. 13319 (Del. Ch.); *In re First Capital Holdings Corporation Financial Products Securities Litigation*, MDL No. 901 (C.D. Cal.); *In re New World Entertainment Securities Litigation*, Master File No. CV 88-6260-MRP(Kx) (C.D. Cal.); *In re Anchor Securities Litigation*, No. 1:88-cv-3024 (CPS) (E.D.N.Y.); *In re 3Com Corporation Securities Litigation*, No. C-89-20480 (WAI) (N.D. Cal.); *In re Par Pharmaceutical, Inc. Derivative Litigation*, No. 1:89-cv-5497 (RPP) (S.D.N.Y.); *Fishbein v. Resorts International Inc.*, No. 1:89-cv-6043 (MGC) (S.D.N.Y.); *In re Bank of Boston Securities Litigation*, Master File No. 89-2269-H (D. Mass.); *In re Howard Savings Bank Securities Litigation*, No. 2:89-cv-5131 (WGB) (D.N.J.); *Merrit v. Gulf States Utilities Co.*, No. B-86-574-CA (E.D. Tex.).

In addition, Zwerling Schachter represents or has represented public employee pension funds and union pension funds in securities litigations, including: *In re MGIC Investment Corporation Securities Litigation*, No. 2:08-cv-458-LA (E.D. Wis.); *In re American International Group, Inc. Securities Litigation*, No. 1:08-cv-4772 (LTS) (S.D.N.Y.); *In re Doral Financial Corporation Securities Litigation*, MDL No. 1706 (S.D.N.Y.); and *Clinton Charter Township Police and Fire Retirement System v. Reckler*, No. 2:03-cv-5008 (TCP) (E.D.N.Y.).

Courts have commented favorably upon the expertise of the Zwerling Schachter. In appointing the firm as lead counsel in *In re Old Banc One Shareholders Securities Litigation*, No. 00C2100 (N.D. Ill.), the Court noted that the “attorneys have extensive experience, many successes on their resumes, and have obtained sizable recoveries

on behalf of their clients.” Minute Order dated December 21, 2000.

In appointing it as lead counsel in *In re Telxon Corporation Securities Litigation*, No. 5:98-cv-2876 (KMO) (N.D. Ohio), the Court determined that the Zwerling Schachter has “the requisite ability and expertise to prosecute and manage this litigation effectively.” Memorandum and Order at 39, August 25, 1999.

As a member of a team of plaintiffs’ trial counsel in *In re ICN/Viratek Securities Litigation*, No. 1:87-cv-4296 (S.D.N.Y.), the Zwerling Schachter was complimented by Judge Kimba Wood as having done a “superb job on behalf of the class.... This was a very hard fought case. You had very able, superb opponents, and they put you to your task.... The trial work was beautifully done and I believe very efficiently done....”

In *In re Par Pharmaceutical, Inc. Derivative Litigation*, No. 1:89-cv-5742 (RPP) (S.D.N.Y.), Judge Patterson, in commenting on the Zwerling Schachter, said “[they] acted skillfully and resourcefully....[The Zwerling Schachter] exercised wisdom and judgment and negotiated a skillful settlement with the defending company and with the officer and director/defendants.” Slip opinion dated June 15, 1992.

Chief Judge Weinstein, in the *Jack Eckerd Corporation* litigation (E.D.N.Y. 1986), and Judge Charles P. Sifton in both *Golden v. Shulman*, [1988 Transfer Binder] Fed. Sec. L. Rep. (CCH) ¶ 94,060 (E.D.N.Y. Sept. 30, 1988) and *Cagan v. Anchor Savings Bank, FSB*, [1990 Transfer Binder] Fed. Sec. L. Rep. (CCH) ¶ 95,324 (E.D.N.Y. May 22, 1990) also commented favorably upon Zwerling Schachter.

One of the partners of Zwerling Schachter was appointed by former Chief Judge Browning as Proof-of-Claim Counsel in connection with the loss analysis in *In re Washington Public Power Supply System Securities Litigation*, MDL No. 551 (D. Ariz.). In that matter, former United States District Judge Nicholas J. Bua, as Special Master appointed by the Court on Robert S. Schachter, “I...find that the services of Mr. Schachter were efficiently and reasonably performed by him personally....Mr. Schachter specifically was appointed by the District Court to serve as Claims Counsel....It was not unreasonable for a senior partner like Mr. Schachter, with his vast knowledge of the case, to directly oversee the claims

administration process rather than relying upon less knowledgeable junior attorneys. The class received its money's worth for Mr. Schachter's services...."

Attorneys of the Firm Involved in the *Lloyds* Litigation

Robert S. Schachter

Robert S. Schachter was admitted to the bar of the State of New York in 1972. He is admitted to the following federal courts: the United States District Court for the Southern and Eastern Districts of New York and the Central District of California, the United States Court of Appeals for the Second, Fifth and Ninth Circuits, and the Supreme Court of the United States. He received a Bachelor of Arts degree from Syracuse University in 1968 and a Juris Doctor degree from Brooklyn Law School in 1971. His professional affiliations include The American Bar Association (Lecturer, Panels in Class Actions, 1980 and 1998) and the Second Circuit Federal Bar Council. Mr. Schachter was a panelist at the Public Funds Summit (2002-2004), Investment Education Symposium sponsored by the Council of Louisiana Trustees (2002), and Fire & Police Pension Summit (2002). Mr. Schachter is a panelist for a series of seminars moderated by Professor Francis McGovern of the Duke University Law School concerning "Distribution of Securities Litigation Settlements—Improving the Process." These seminars are aimed to develop solutions to improve the efficiency and effectiveness of securities litigation settlement distributions. Participants in the conference include attorneys, judges, regulators, institutional filers and claims administrators. The purpose of the seminars is to prepare a report for presentation to the Federal Judicial Conference.

Mr. Schachter has extensive experience in all phases of complex litigation. He has been involved in many settlement negotiations, as well as the drafting of complex settlement documents, and has particular expertise in the administration of class settlements. Mr. Schachter has been instrumental in constructing novel settlements, which have been applauded by courts in securities, as well as antitrust matters, including corporate governance issues.

Dan Drachler

Dan Drachler was admitted to the bar of the State of New York in 1988. He is also admitted to the bar of the States of Washington, and New Jersey. He is

admitted to the following federal courts: the United States District Court for the Southern and Eastern Districts of New York, the United States District Court for the Western and Eastern Districts of Washington, the United States Court of Federal Claims, and the United States Court of Appeals for the Second, Ninth and Federal Circuits.

Mr. Drachler received a Bachelor of Arts degree *cum laude* from the University of South Carolina in 1980, and his Juris Doctor degree *cum laude* from New York Law School in 1987. At New York Law School, Mr. Drachler was a member of the law review and was a John Ben Snow Merit Scholar. His professional affiliations include: the Washington State Bar Association, the King County Bar Association, and the American Antitrust Institute.

Prior to joining the Zwerling Schachter, Mr. Drachler served as Chief Deputy Attorney General for the State of New York. In that position, all litigation and investigations were subject to Mr. Drachler's review, including those in the Antitrust and Consumer Protection Bureaus. Mr. Drachler also regularly counseled state agencies and the Governor's office regarding a variety of legal and non-legal matters.

Mr. Drachler was an Adjunct Professor at New York Law School from 1992-97. He taught "Negotiation, Counseling and Interviewing," a course designed to develop skills in counseling clients and conducting negotiations in simple and complex matters. He was awarded Outstanding Antitrust Litigation Achievement in Private Law Practice by the American Antitrust Institute in 2017 and has been appointed to its Advisory Board.

Justin M. Tarshis

Justin M. Tarshis was admitted to the bar of the State of New York in 2003. He is also admitted to the United States District Court for the Southern and Eastern Districts of New York and the United States Court of Appeals for the Second Circuit. He received a Bachelor of Science degree from the University of Wisconsin in 1999, and a Juris Doctor degree *cum laude* from Brooklyn Law School in 2002. While in law school, Mr. Tarshis was the recipient of the Samuel L. Sporn Academic Achievement Scholarship and the CALI Excellence for the

Future Award in Civil Practice. In addition, Mr. Tarshis served as an intern to the Honorable Shira A. Scheindlin of the Southern District of New York, as well as an intern in the New York State Attorney General's Office.

Ana Cabassa

Ana Maria Cabassa was admitted to the bar of the State of New York in 2001 and to the bar of the District of Columbia in 2001. She is admitted to the United States District Court for the District of Columbia, and the Tax Court. She received a Bachelor of Science degree in Accounting and Finance, *magna cum laude*, from Georgetown University in 1995 and a Juris Doctor degree from New York University, School of Law in 2000. She received the Thomas Stoddard Award for editing contributions to the Journal of Legislation and Public Policy. Her professional affiliations include: American Bar Association and New York State Bar Association.

Ms. Cabassa is also a Certified Public Accountant.

Prior to her association with Zwerling Schachter, Ms. Cabassa was associated with Latham & Watkins, LLP, where she represented clients in antitrust, securities and complex commercial litigation matters.

Ms. Cabassa has extensive experience in all phases of complex litigation, including the investigation and analysis of potential matters and the development of electronic discovery requirements.