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9 *Attorneys for Plaintiff and the Class*

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION
14

15 JAMES KNAPP, individually and on behalf
16 of all others similarly situated,

17 Plaintiff,

18 v.

19 ART.COM, Inc., a California corporation;
20 and DOES 1 through 50, inclusive,

21 Defendants.
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CASE NO.: 3:16-cv-00768-WHO

[Honorable William H. Orrick]

**DECLARATION OF AUBRY WAND IN
SUPPORT OF PLAINTIFF'S MOTION
APPROVAL OF ATTORNEYS' FEES AND
COSTS AND CLASS REPRESENTATIVE
SERVICE AWARD**

Date: August 9, 2017
Time: 2:00 p.m.
Courtroom: 2

Action Filed: February 16, 2016
Trial Date: None Set

DECLARATION OF AUBRY WAND

I, Aubry Wand, hereby declare as follows:

1. I am an attorney at law, licensed to practice in the State of California. I am the principal of the Wand Law Firm. My firm, along with Schneider Wallace Cottrell Konecky Wotkyns LLP, serves as co-counsel of record in the above-entitled action (hereinafter, “Class Counsel”). I make this declaration on the basis of personal firsthand knowledge unless another source of information or belief clearly appears from the context, and as to all such matters, I believe them to be true. If called as a witness, I could and would readily and competently testify to all matters stated within.

2. I make this declaration in support of Plaintiff’s Motion for Approval of Attorneys’ Fees and Costs and Class Representative Service Award.

Qualifications and Experience

3. I received a B. A. from the University of Pennsylvania in 2007 in English and Political Science. I received my J.D. from UC Hastings College of the Law in 2011. I became an active member of the State Bar of California in December 2011, and I have been an active member in good standing continuously since then. I became a member of the State Bar of Hawaii in June 2012, although I am currently on voluntary inactive status there. In 2012, I completed a judicial clerkship for the Honorable Colette Y. Garibaldi, of the First Circuit Court, State of Hawaii.

4. I have been practicing as a litigation attorney, focusing primarily on protecting the rights of employees and consumers, in Los Angeles since 2012. From 2012 to 2016, I worked as an associate at a law firm that was dedicated almost exclusively to employment litigation, frequently litigating class actions on behalf of employees. As an associate there, I actively litigated cases in which excellent results were achieved on behalf of thousands of class members. During that time period, I served as lead or co-lead counsel in approximately 11 wage-and-hour class actions in which over \$13 million was recovered for thousands of class members. I also successfully litigated a number of single-plaintiff employment cases during that time period.

1 manage and oversee complex class actions. In addition, this rate properly takes into account the
2 excellent result achieved on behalf of the Class, the work performed by Class Counsel, the risk
3 incurred in taking on this action, and the fact that payment (if any) will not be made until nearly
4 two years after this action was filed.

5 10. I spent approximately 588.40 hours litigating this case. Based on the requested
6 hourly rate of \$500 per hour, my firm's lodestar is \$294,200. My office, along with Schneider
7 Wallace, has worked diligently to divide tasks, ensure efficient case management, and prevent
8 duplication of efforts. By assigning specific tasks among firms, we were able to avoid
9 replicating work. For example, during meetings, emails, and calls with opposing counsel,
10 generally only one firm participated. I have also endeavored to remove any duplicative billing
11 with co-counsel by deleting from my time records all in-person meetings, phone calls, and e-
12 mail communications with co-counsel, even though there were numerous and extensive back
13 and forth communications between the two firms, and several in-person meetings, throughout
14 the course of the litigation.

15 11. A true and correct copy of my time records in this case is attached hereto as
16 **Exhibit A.**

17 12. I have devoted a substantial amount of time to this litigation that could have been
18 spent on other fee-generating work. Because my office undertook representation of this matter
19 on a contingency-fee basis, my office shouldered the risk of expending substantial costs and
20 time in litigating the action without any monetary gain in the event of an adverse judgment.

21 13. Class Counsel's lodestar will grow as we continue to finalize the settlement
22 process and close the litigation. My office will continue to assist Class members with individual
23 inquiries, will oversee the settlement administration process, and Class Counsel will help
24 resolve Class member inquiries. Judging by previous experience, these responsibilities will
25 require many hours of work by Class Counsel over the coming months that is not accounted for
26 in this declaration.

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Litigation Costs

14. My office incurred the following reimbursable costs that were necessary to litigate this case:

Description	Amount
Filing fees	\$400.00
Postage and copying costs	\$661.94
Research services (Pacer, Westlaw, etc.)	\$410.29
Travel expenses (flights, meals, parking, etc.)	\$473.52
Deposition transcripts	\$695.10
Mediation fees (David Rotman)	\$5,375.00
Expert witness fees (Larry Compeau and Torrey Partners LLC)	\$20,399.75
Total	\$28,415.60

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct. Executed on June 30, 2017 at Los Angeles, California.

/s/ Aubry Wand
Aubry Wand