

# **APPENDIX 1**

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

ARMANDO NIEVES, individually and on	)	Case No. 17-50188
behalf of similarly situated persons,	)	
and ROBERTO PEREZ-PEREZ, individually,	)	
	)	Judge Iain D. Johnston
Plaintiffs,	)	
	)	
v.	)	
	)	
MONSANTO COMPANY,	)	
	)	
Defendant.	)	

**DECLARATION OF CURTIS C. WARNER**

I, Curtis C. Warner declare that the following statements are true:

1. I received my undergraduate degree from Grand Valley State University, Allendale, Michigan, in 1993, my Masters Degree in Education from Wayne State University in 1998, and my Juris Doctorate from Michigan State University – Detroit College of Law (now Michigan State University – College of Law), *cum laude*, in 2002. During law school, I was the Editor-in-Chief for the Michigan State University – Detroit College of Law *Journal of Medicine and Law* and interned with the United States Army Judge Advocate General’s Office at Fort Carson in Colorado in the claims department in the summer of 2001.

2. In August 2002, I began working as an associate attorney at Collins & Blaha, P.C., an employment law firm that represents various school districts in the State of Michigan.

3. From April 2003 to March 2005, I worked as a staff attorney at Michigan Migrant Legal Assistance Project, Inc., (now Migrant Legal Aid) in Grand Rapids, Michigan, representing migrant farm workers in various labor and consumer disputes before administrative agencies, federal and state courts. During that time, I represented a client before the Michigan Supreme

Court. *Lopez v. Hardy's Holsteins LLC*, 2005 MIWCLR (LRP) LEXIS 151 (Mich. WCAC, June 24, 2005) *sub nom. Lopez v. Worker's Compensation Appellate Comm'n.*, No. 263842, 2005 Mich. App. LEXIS 3312 (Mich. App., Sept. 23, 2005); 704 N.W. 2d 709, 474 Mich. 893 (Mich. 2005). I have served as a board member of Migrant Legal Aid and am counsel on several pending cases in which Migrant Legal Aid is also counsel of record in.

4. In March of 2005, I relocated to Chicago, Illinois, to join my now wife, who for employment moved from Grand Rapids to Chicago, and from March of 2005 to September 2006, I was an associate attorney at the consumer class action law firm of Edelman Combs Lattuner & Goodwin LLC in Chicago, Illinois ("Edelman Combs"). "Edelman, Combs, Lattuner & Goodwin, LLC, [is] a small Chicago law firm specializing in consumer credit, debt collection, FDCPA, predatory lending practices, and class action litigation." *Miller v. Midland Credit Mgmt.*, 08 C 780, 2009 U.S. Dist. LEXIS 16273 \* 6-7 (N.D. Ill. Mar. 2, 2009).

5. In October 2006, I started Warner Law Firm, LLC, where I was the only attorney, which enabled me to balance having a carrier while taking care of our children and support my wife's career. See Michigan State University College of Law, *Amicus* | Winter 2014, Alumni Profile, Solo Practitioner Balances Career and Family, p. 12 available at [https://issuu.com/msulaw/docs/amicus\\_winter\\_2014/3](https://issuu.com/msulaw/docs/amicus_winter_2014/3) (last visited Aug. 10, 2020).

6. I am currently a solo practitioner in Corning, New York, relocating for my wife so she could continue to pursue her professional career. I do not have any staff.

7. I am a member of both the Michigan (Admitted 2002), Illinois (Admitted 2004) and New York (Admitted 2020) bars and am admitted to practice before the following Courts: Supreme Court of the United States, Sixth Circuit Court of Appeals, Seventh Circuit Court of Appeals, Eastern District of Michigan, Western District of Michigan, Northern District of Illinois,

Central District of Illinois, Northern District of Indiana, Southern District of Indiana and Eastern District of Wisconsin. I have also been permitted to practice *pro hac vice* in the District of New Jersey, the Eastern District of Virginia, the Middle and Southern Districts of Florida, and in Monterey County, California.

8. I am a member of the Trial Bar of the Northern District of Illinois, having twice served the Court as appointed counsel in Title VII cases, once in a bank financing case, once in a FCRA case and once in a prisoner rights case.

9. I have also performed *pro bono* work for the Legal Assistance Foundation of Metropolitan Chicago taking a mortgage fraud case to trial after 3 ½ years of litigation and obtaining a modest five-figure judgment against one defendant, a six-figure settlement from the other defendants, and waived my legal fees for the benefit of the indigent client whose home was taken from her.

10. I have been recognized by the Michigan State Bar Foundation – Access to Justice Campaign for having in 2019 directed a *cy pres* award to the ATJ Campaign. <https://atjfund.org/wp-content/uploads/2020/04/Cy-Pres-Awards.pdf>

11. Since beginning the practice of law, I have been involved in the litigation of hundreds of cases on behalf of consumers in the courts to which I am admitted in.

12. Since beginning my solo practice in 2006, I have been approved as a class counsel in the following matters to which final approval has been granted: *Pilaraski v. Rent Recover of Better NOI LLC*, 17-cv-8659 (N.D. Ill. Sept. 25, 2019) (FDCPA); *Loveday v. Financial Asset Management Systems, Inc.*, 2:18-cv-10218-GAD-MKM (E.D. Mich. May 24, 2019) (FDCPA); *Dilallo et al. v. Miller and Steeno, P.C., et al.*, 16 C 51 (N.D. Ill. Mar. 16, 2018) (FDCPA); *Patel v. AT&T Services, Inc.*, 15 C 8174 (N.D. Ill. Sept. 20, 2017) (TCPA – Autodialer); *Florence*

*Mussat, M.D., S.C. v. E.S. Medical Supplies and Equipment Inc.*, 16 C 1240 (N.D. Ill. Sept. 13, 2017) (TCPA – Junk Fax); *Tsang v. Zara USA, Inc.*, 15-cv-11160 (N.D. Ill. Nov. 2, 2016) (FCRA – Receipt); *Vasquez v. Zara USA, Inc.*, 15 C 3433 (N.D. Ill. March 8, 2016) (FCRA – Receipt); *Florence Mussat, M.D., S.C. v. Insurance Group of America Holdings, LLC.*, 13 C 7798 (N.D. Ill. May 7, 2015) (TCPA – Junk Fax); *Krishnan et al. v. Autovest LLC*, 13 C 8654 (N.D. Ill. Mar. 27, 2015) (FDCPA); *Paci v. Elmhurst Auto Werks, LTD*, 14 C 1158 (N.D. Ill. Feb. 2, 2015) (FCRA – Receipt); *Pursak v. Lumber Liquidators, Inc.*, 12 C 6984 (N.D. Ill. Nov. 17, 2014) (FCRA – Receipt); *Florence Mussat M.D., S.C. v. Betterdoctor, Inc.*, 13 C 8377 (N.D. Ill. July 10, 2014) (TCPA Junk Fax); *Sanders et. al. v. W&W Wholesale, Inc.*, 11 C 3557 (N.D. Ill. Apr. 11, 2014) (FCRA – Receipt); *Bargains in a Box, Inc.*, 13 C 3964 (N.D. Ill. Mar. 27, 2014) (FCRA – Receipt); *Florence Mussat M.D., S.C. v. Global Healthcare Resource, LLC*, 11 C 7035 (N.D. Ill. Nov. 1, 2013) (TCPA Junk Fax); *Tang v. Medical Recovery Specialists Inc.*, 11 C 2109 (N.D. Ill) (FDCPA); *Tang v. Pita Inn Inc*, 11 C 3833 (N.D. Ill. May 2, 2012) (FCRA – Receipt); *Balbarin v. North Star Acquisition, LLC*, 10 C 1846 (N.D. Ill. Apr. 12, 2012) (TCPA Autodialer); *O’Hara v. Medieval Times USA, Inc.*, 3:10-cv-751 (D. N.J. Mar. 6, 2012) (FCRA – Receipt); *Todd v. HB Windows and Doors, Inc.*, 10 C 4986 (N.D. Ill. Aug. 18, 2011) (FCRA – Receipt); *Seppanen v. Krist Oil Co.*, 2:09-cv-195 (W.D. Mich. Aug. 9, 2011) (FCRA – Receipt); *Vallejo v. National Credit Adjusters, LLC*, 10-cv-103 (N.D. Ind. Nov. 3, 2010) (FDCPA); *Mitchem v. Northstar Location Services, LLC*, 09 C 6711, (N.D. Ill. May 13, 2010) (FDCPA); *Housenkamp v. Weltman, Weinberg & Reis, Co. of Michigan*, Case No. 1:09-cv-10613-TLL-CEB (E.D. Mich. May 11, 2010) (FDCPA); *Kern v. LVNV Funding, Inc.*, 09 C 2202, (N.D. Ill. Jan. 21, 2010) (FDCPA); *Prieto et al. v. HBLC, Inc. and Steven J. Fink & Assoc., P.C.*, 08 C 2817 (N.D. Ill. Dec. 15, 2008)

(FDCPA); *Dobson v. Asset Acceptance LLC*, 07 C 6203, (assigned as related to 07 C 5967) (N.D. Ill. 2008) (FDCPA); *Horton v. IQ Telecom*, 07 C 2478 (N.D. Ill. May 5, 2008) (FDCPA).

13. In the heavily contested matter *Schafer v. Allied Interstate LLC, et. al.*, a case brought under the Fair Debt Collection Practices Act, that was filed in 2017, in which the court denied the defendants' motions to dismiss, for summary judgment, and to compel arbitration, while granting plaintiff's motions for summary judgment, the court granted certification of the class and commented regarding the adequacy of proposed class counsel, "[o]n the facts relevant to this inquiry, the Court is persuaded that Plaintiff's counsel will prosecute this case in the interest of the class" and that "Curtis C. Warner is APPOINTED as the class counsel." *Schafer v. Allied Interstate LLC*, Case No. 1:17-cv-233, 2020 U.S. Dist. LEXIS 137019, at \* 34, 37 (W.D. Mich. Aug. 2, 2020) (class certification granted, motion to compel arbitration denied); 2018 U.S. Dist. LEXIS 108435, 2019 WL 2710272 (W.D. Mich. Jun. 28, 2019) (granting plaintiff's motion for summary judgment, denying defendant's motion for summary judgment); 2018 U.S. Dist. LEXIS 233287, 2018 WL 10303096 (W.D. Mich. Feb. 9, 2018) (denying defendant's motion to dismiss).

14. I have been involved as co-class counsel in *Perez-Perez v. Monsanto*, 3:17-cv-50188 (N.D. Ill.), a case brought under the Agricultural Worker's Protection Act and breach of contract, to which the Court recently granted preliminary approval to the class action settlement and scheduled a fairness hearing on April 30, 2021. *Id.* Doc. 108 (Aug. 3, 2020).

15. In *Cavin v. Home Loan Center, Inc.* 236 F.R.D 387 (N.D. Ill. 2007), a specific finding regarding my ability as class counsel was made in that, "[t]he Court finds that Mr. Warner [is]. . . 'experienced, competent, qualified and able to conduct the litigation vigorously'", and therefore met the adequacy of class counsel requirement under Rule 23(a)(4). *Id.* at 395.

16. I was the primary brief writer on *Mitchem v. Illinois Collection Service*, 271 F.R.D. 617 (N.D. Ill. 2011) and *Balbarin v. North Star Capital Acquisition*, 2011 U.S. Dist. LEXIS 686 (N.D. Ill. Jan. 5, 2011), which are the first two cases in the nation granting a contested class certification motion for claims brought under the Telephone Communication Protection Act for calls to cellular telephones without express prior consent.

17. I contributed to the writing of the plaintiffs' joint brief in a TCPA matter of first impression and was second chair at oral argument in the Seventh Circuit in *Soppet v. Enhanced Recovery, Co., LLC*, 679 F.3d 637 (7th Cir. 2012).

18. I have represented successful objectors before the Seventh Circuit in reversing the District Court's approval of a nationwide class action settlement. *Redman v. RadioShack Corp.*, 768 F.3d 622 (7th Cir. 2014).

19. I have filed a petition for writ of certiorari to the United States Supreme Court. *Nicaj v. Shoe Carnival, Inc.*, 135 S. Ct. 1429 (2015) (*cert denied*).

20. Warner Law Firm, LLC also defends consumers in state court proceedings filed by their alleged creditors and/or assignees. The firm has billed out my hourly time at a discount as these consumers are typically financially distressed.

21. As of August 1, 2009, in such state court cases Warner Law Firm, LLC charges and has been paid for my services at an hourly rate of \$305 per hour, August 1, 2010, at \$320 per hour, August 1, 2011, \$340 per hour, August 1, 2012, \$360 per hour, August 1, 2013, \$400 per hour, August 1, 2014, the firm increased my hourly rate to \$450 per hour. The firm's last billing rate for my services in the greater Chicago, Illinois area was \$550 per hour.

22. My hourly rate has been found to be reasonable by the Courts as follows:

**Illinois Cases:**

a. *Pilaraski v. Rent Recover of Better NOI LLC*, 17-cv-8659, Doc #:106, (N.D. Ill. Sept. 25, 2019) (“finding a lodestar amount for Mr. Warner, being \$550 (five hundred fifty) dollars per hour . . . to be reasonable[.]”);

b. *Schwarsenska v. Brookfield Consulting Group, Inc.*, 13 cv 50383 (N.D. Ill. Feb. 17, 2015) (finding that Plaintiff’s requested hourly rate of \$450 per hour was “a reasonable rate”) *report and recommendation affirmed* (Mar. 9, 2015);

c. *Prusak v. Lumber Liquidators, Inc.*, 12 C 6984 (N.D. Ill. Nov. 11, 2014) (approving a \$450 hourly rate);

d. *Tang Rincon v. Taqueria Los Comales #1, Inc.*, 13 C 2712 (N.D. Ill. Apr. 30, 2014) (approving a \$400 per hour rate);

e. *Florence Mussat M.D., S.C. v. Global Healthcare Resource, LLC*, 11 C 7035 (N.D. Ill. Nov. 1, 2013) (approving hourly rate of \$400 for work done after August 1, 2013, \$360 August 1, 2012-2013, \$340 August 1, 2011-2012, and \$320 for work done prior to August 1, 2011);

f. In *Bautista v. Feedman Anselmo Lindberg LLC*, et al., 13 C 3962, (N.D. Ill. Sept. 24, 2013), (approving a \$360 hourly rate pre-August 1, 2013, as reasonable);

g. *Todd v. HB Windows and Doors, Inc.*, 10 C 4986 (N.D. Ill. Aug. 18, 2011) (the court in a class action brought under the FACTA amendments to the Fair Credit Reporting Act awarded Mr. Warner 1/3 of the settlement fund established and in doing so commented on the record that it was more than a fair amount acknowledging that it was slightly higher than what the *Lodestar* calculation would have been at \$305 per hour for work done prior to August 1, 2010, \$320 per hour for work done prior to August 1, 2011, and \$340 per hour for work done after August 1, 2011);



h. *Todd et al v. New Quick Market*, 11 C 1532 (N.D. Ill. July 7, 2011) (\$320); *Sanders v. Golden Kitchen*, 10 C 1290 (N.D. Ill. Aug. 5, 2010) (\$305); *Todd et al. v. Licores El Potrillo*, 10 C 1135 (N.D. Ill. July 8, 2010) (\$305); and *Sterling v. Blatt Hasenmiller*, 09 C 1288, (N.D. Ill. Apr. 23, 2009) (\$305);

**Michigan Cases:**

a. *McClain v. Hanna*, 19-10700-TGB-EAS, 2019 U.S. Dist. LEXIS 193350 (E.D. Mich.) (M.J. Stafford) *adopted by, in part, modified by, objection overruled by, in part, Objection sustained by, in part*, 2019 U.S. Dist. U.S. Dist. 222691, at \* 8 (E.D. Mich. Dec. 30, 2019) (Berg, J.) (“The Court therefore finds Warner should be compensated for 23.7 hours of attorney time. According to the lodestar method, multiplying 23.7 hours by Warner's hourly rate of \$400—which this Court finds reasonable—Warner will be awarded \$9,480.00 in attorney’s fees.”);

b. *Loveday v. Financial Asset Management Systems, Inc.*, 2:18-cv-10218-GAD-MKM, ECF No. 33, (E.D. Mich. May 24, 2019) (finding that the requested hourly rate of \$400 per hour in the Eastern District of Michigan in an FDCPA case is reasonable);

c. *Burton v. RAB Performance Recoveries L.L.C.*, 1:11-CV-261, Doc #51, Opinion and Order, p. 5 (W.D. Mich. Nov. 7, 2011) (\$300).

23. However, depending on how the district court views the complexity of the case and the number of attorneys involved, such as four, a reduction in Mr. Warner’s rate has been upheld to unspecified amount so long as the ultimate reasons for the total amount of the award to all counsel is apparent on the record. *Schlacher v. Law Office of Phillip J. Rotche & Associates, P.C.*, 574 F.3d 852 (7th Cir. 2009) *rehearing denied by* 2009 U.S. App. LEXIS 22080 (7th Cir. Sept. 28, 2009); *Jerman v. Carlisle, McNellie, Rini, Kramer & Ulrich LPA*,

559 U.S. 573, 598 n. 16 (2010) (*quoting Schlacher*, 574 F.3d at 854-55) (a downward adjustment to the loadstar was affirmed by the Seventh Circuit where existed the “unnecessary use of multiple attorneys . . . in a straightforward, short-lived [FDCPA] case.”).

24. Here, I am not seeking time for communications just with co-counsel, with a few exceptions, where the communication contained substantive work that was used as a foundation for a filing with the Court or where I was on a joint phone call with the clients.

25. Attached to this declaration as Exhibit A is the record of my time and costs advanced to the client through September 21, 2020.

26. This matter was taken with Plaintiffs’ counsel only being able to recover their attorney’s fees and costs from the Defendant via a settlement or a Court award.

27. If Plaintiffs were not to prevail or a settlement was not reached, Plaintiffs’ counsel would recover any attorney’s fees.

28. I have utilized billing in time increments of six minutes as “.1”.

29. Travel time was computed at ½ the time for the travel.

30. My time in this case was kept contemporaneously using time notes and electronic time notations and then imputed into an Excel spreadsheet.

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

Executed on October 8, 2020

/s/ Curtis C. Warner  
Curtis C. Warner

Curtis Warner (P59915)  
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Corning, New York 14830  
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## EXHIBIT A

DATE	DESCRIPTION	TIME	COSTS
9/1/16	Email re: Poss. Co-counsel of labor class action w/ dep trans of B. V	0.3	
9/1/16	Conf. Call w. TH and other atty case v Monsanto	1.3	
9/1/16	Review of info dep Trans of FLA case	0.4	
10/13/16	email w/ comments of co-conuseling agreement	0.1	
10/19/16	discussions re: venue to file case	0.1	
12/14/16	Venue questions	0.1	
12/16/16	Venue research on Monsanto in N.D. Ill.	0.2	
2/2/17	In person meeting w/ PK in NYC re: Monsanto (costs to other matte	0.3	
5/11/17	Revise Complaint	0.6	
6/2/17	Resarech on Ill. Wage Law	0.4	
6/5/17	Research latest case law on picking off	0.2	
6/30/17	Fling Fee		\$400.00
6/30/17	Service of Process		\$195.00
6/30/17	Motion for Class Certification and Motion for Br Sch.	0.4	
6/30/17	Review Order	0.1	
7/5/17	Review minute entry	0.1	
7/12/17	Call with Mr. Holevas	0.1	
7/17/17	email exchange w. Def counsel and provide Court Order	0.1	
7/24/17	call w/ JH	0.1	
7/26/17	email exchange w/ JH re: Mediation Pamphlet and need to translate	0.1	
7/26/17	Research and draft mtn to translate Mediation Pamphlet	0.3	
7/26/17	Call with Mr. Holevas	0.1	
7/28/17	email to Mr. Holevas	0.1	
8/1/17	email exchange w/ Mr. Holevas	0.1	
8/2/17	email exchange w/ Mr. Holevas	0.1	
8/4/17	email to defense counsel	0.1	
8/5/17	email exchange w/ Mr. Godiner	0.1	
8/8/17	email exchange w/ Mr. Holevas, rev. mtn	0.1	
8/18/17	email to co-counsel re: mediation issues, remote mediation poss, M	0.1	
8/21/17	Rev. JSR	0.4	
8/22/17	Review Def. Answer, note non-compliant w/ LR 10.1	0.3	
8/22/17	Rev. Def. possition, email exchange w. Ms. Jordan	0.1	
8/25/17	Revisions of the JSR and email exchange w/ Mr. Godiner	0.2	
8/25/17	Postage Copy to Court of JSR		\$1.40
9/8/17	email to co-counsel	0.1	
9/8/17	review Am. Answer now compliant w/ LR 10.1, no other changes	0.1	
9/12/17	Travel to/from Court. 2.5 hr	1.2	
9/12/17	Court	0.4	
9/13/17	Rev. minute order	0.1	
9/13/17	Call w/ TH and Clients	1.5	
9/18/17	email from Ms. Jordan	0.1	
9/19/17	Draft letter to Mr. Jordan in resp. to email of her understanding of C	0.7	

9/19/17	Draft MTN for Clarification	1.2	
9/19/17	email and VM to Mr. Holevas	0.1	
9/20/17	Court Transcript		\$24.00
9/20/17	Phone Conf. w/ Mr. Holevas + email follow up from Mr. Holevas	0.2	
9/20/17	Review transcript and make notes, add to MTN for Clarification	0.2	
9/21/17	Draft Subs, email to Def. Counsle re: Subpoenas and Settlement	0.2	
9/21/17	Rev. of Minute entry and email co-counsel	0.1	
9/21/17	Draft Notice of Subs and email to oc	0.1	
9/21/17	FedEx Subs to process server		\$7.61
9/21/17	Review minute order	0.1	
9/25/17	Phone conf w/ PK	0.2	
9/25/17	email resp to L email	0.1	
9/26/17	email exchange w. Ms. Jordan	0.1	
9/27/17	call w/ Ms. Jordan and email to co-cousel re: discussion	0.2	
9/28/17	email exchange w/ Ms. Jordan	0.1	
9/29/17	email to Ms. Jordan	0.1	
10/3/17	To/From Court 2.5	1.2	
10/3/17	Motion hearing on Mtn to Clarify	0.2	
10/5/17	email exchange w. Ms. Jordan	0.1	
10/5/17	Draft subpoenas	0.1	
10/10/17	SOP of Sub		\$68.05
10/14/17	Review documents from subs	0.1	
10/19/17	Review memo re: client conversation and resp email re: viability of	0.1	
10/23/17	Tack down place of housing were BV / Monsanto put up Mr. Neives	0.2	
10/25/17	email from Benito Vasquez	0.1	
11/10/17	SOP of Sub		\$68.05
11/14/17	Revise and research MTN to Transfer	0.8	
11/16/17	Position Statement of Plaintiffs		
11/16/17	Rev. Transfer mtn	0.2	
11/30/17	Rev Mr. Holevas 11/29 email and resp	0.1	
12/13/17	Rev. of motion presentment date and email to Mr. Holevas	0.1	
12/13/17	Rev. Monsanto poss rand cont. resh	0.2	
12/18/17	Call w/ TH and Mr. Perez re: questions and documents	2.2	
12/18/17	review Prez-Perez hand written notes and make damages calculatio	0.8	
12/27/17	Revise PK revised Am Compl	1.5	
12/27/17	email to PK and TH w/ Rev. Am C, and notes	0.1	
12/27/17	Rev. TH Edits and Further Revise Am. Compt.	0.4	
1/3/18	Rev. to mtn to amend	0.2	
1/5/18	Revisions to reply in support of MTN to transfer	1.1	
2/9/18	Call with Mr. Holevas	0.2	
3/2/18	Call w. Mr. Holevas and Draft settlement demand email	0.2	
3/16/18	VM to Ms. Jordan and follow up email	0.1	
3/16/18	follow up email to defense counsel re: settlement demand	0.1	

3/16/18	Call with Mr. Holevas	0.1	
3/21/18	email excahnge with Ms. Jordan	0.1	
3/23/18	follow up email to Ms. Jordan	0.1	
3/23/18	email to Ms. Jordan	0.1	
4/4/18	email excahnge w/ Ms. Jordan	0.1	
5/2/18	review minute order	0.1	
5/2/18	email exchanges with defense counsel	0.2	
7/9/18	Reviv of BayerAG purchase of Monsanto whether new Plaintiff nee	0.2	
7/10/18	email exchange w/ defense counsel re: BayerAG if successor in inte	0.1	
7/24/18	Rev. of Def. Answer to Am Complt.	0.2	
7/26/18	Call w/ Mr. Holevas re: Translation of Mediation booklet	0.1	
7/28/18	email to Ms. Jordan re: motion to translate medation booklet	0.1	
8/2/18	Review email from Mr. Holevas with motion	0.1	
8/7/18	Review of Vasquez Transcript re: number of workers per year	0.2	
8/7/18	Review FLA Ct Opinion, Order, Call PK, email GD for file, and review	0.7	
8/11/18	resh and draft 2nd Am. Complt.	2.5	
8/14/18	email exchange w. Ms. Jordan	0.1	
8/14/18	Court Appearance	0.2	
8/14/18	Travel to/from Court 2.5	1.2	
8/14/18	Meet and confer w/ Ms. Jordan after court	0.1	
8/14/18	Follow up email w/ Ms. Jordan	0.1	
8/16/18	email exchange w/ Mr. Godiner	0.1	
8/17/18	email exchange w. Ms. Jordan	0.1	
8/17/18	Review Rule 11 letter	0.1	
8/24/18	Call w/ Ms. Jordan	0.4	
8/31/18	Court Transcript Order		\$20.40
9/4/18	Quick Delivery Service for Delivery of Court Copy		\$28.00
9/4/18	Cover letter to Court	0.1	
9/5/18	email to Ms. Jordan	0.1	
9/13/18	email from Ms. Jordan	0.1	
10/11/18	Call with Mr. Holevas	0.3	
11/2/18	Call with Mr. Holevas	0.1	
12/3/18	Review of Defs. Settlement Pos. LTR and email co-c	0.2	
12/3/18	Phone conf. w/ co-c re: Defs settlement letter and positions to take	0.5	
12/4/18	Review of transcripts for push back letter, email to co-c	0.4	
12/5/18	Review Holivas letter, emails to co-cm and call w/ PK	0.2	
12/17/18	Drive to Rockford	1.2	
12/17/18	Settlement Conference 10-3:45	5.7	
12/17/18	Drive to/from Rockford 2.5	1.2	
12/19/18	email to Ms. Jordan	0.1	
2/11/19	Rule 26(a)(1)	0.3	
7/2/19	email to Def. counsel seeking R 37 Conf.	0.1	
9/11/19	email to Ms. Jordan	0.1	

9/24/19	Call to Court Case manager	0.1	
9/24/19	email to Ms. Jordan and Mr. Clifford	0.1	
9/24/19	Research to respond to Ms. Jodan's letter re: reversion / cy pres	2.3	
9/26/19	Email to Mr. Holevas	0.1	
2/24/20	Rev and edit proposed settlement agreement	0.2	
3/10/20	Revisions to motion for conditional approval	1.3	
9/6/20	Research and Revisions to petition for attorney's fees	0.3	
	<b>TOTALS</b>	47.2	\$812.51

**APPENDIX 2**

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION**

ARMANDO NIEVES, individually and on  
behalf of similarly situated persons,  
and ROBERT PEREZ-PEREZ, individually,

Plaintiffs,

v.

MONSANTO COMPANY,

Defendant.

Case No. 17-cv-50188

**Judge John Robert Blakey**

**DECLARATION OF TERESA HENDRICKS**

Teresa Hendricks, a licensed attorney in Michigan, and admitted to this Court *pro hac vice*, declares pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am the Executive Director and Senior Litigator with Migrant Legal Aid, a 501(c)(3) civil legal aid program representing migrant and seasonal farmworkers.
2. I am co-counsel for Plaintiffs in this action and am familiar with the relevant facts and issues in this case, including identifying, investigating, and pursuing the claims in this case.

**Education and Bar Admissions**

3. I received my undergraduate Bachelor of Arts degree from Purdue University, West Lafayette, Indiana in 1988, With Distinction, and my Juris Doctor from Thomas M. Cooley Law School (now known as Western Michigan University Thomas M Cooley Law School) in 1991. I attended Marshall-Wythe School of



Law in Madrid, Spain in 1990 and William & Mary Law School in Barcelona, Spain and Bordeaux, France in 1991.

4. I am fluent in Spanish, the primary language of the class representatives in this case.
5. In 1989, I served as law clerk/outreach coordinator for Migrant Legal Aid (then known as Michigan Migrant Legal Assistance Project, Inc.), visiting migrant camps and speaking with farmworkers about their social and legal concerns, providing litigation support for program attorneys, and serving as liaison between attorneys and clients.
6. My court admissions are as follows:
  - 1992 State Bar of Michigan
  - 1994 U.S. District Court, Western District of Michigan
  - 1995 U.S. District Court, Eastern District of Michigan
  - 1995 United States Supreme Court
  - 2001 U.S. Court of Appeals for the Sixth Circuit
  - 2009 Pokagon Band of Potawatomi Indians Tribal Court
  - 2015 U.S. District Court, Northern District of Illinois, Pro Hac Vice
  - 2016 U.S. District Court, Southern District of Florida, Pro Hac Vice
  - 2017 U.S. District Court, Northern District of Illinois, Pro Hac Vice
7. Since 1992, I have represented farmworkers on behalf of Migrant Legal Aid in administrative, state and federal courts proceedings, including in class and collective actions for employment related violations of law. My areas of practice include the Fair Labor Standards Act, Migrant and Seasonal Agricultural Workers

Protection Act, employment discrimination, labor trafficking, worker protection standard, and other legal claims.

8. In 1995, I taught Pre-Trial Skills, Adjunct Professor, Thomas M. Cooley Law School, in Lansing, Michigan.
9. As an attorney with Migrant Legal Aid, I have appeared and/or supervised attorneys in Michigan state court cases, including the Michigan Court of Appeals, *Cabrera v. Ekema*, 695 N.W.2d 78, 265 Mich. App. 402 (2005), and the Michigan Supreme Court (*Lopez v Hardy's Holsteins LLC*, 2005 MIWICLR (LRP) LEXIS 151 (Mich. WCAC, June 24, 2005) sub nom. *Lopez v Worker's Compensation Appellate Comm'n.*, No. 263842, 2005 Mich. App. LEXIS 3312 (Mich. App., Sept. 23, 2005); 704 N.W. 2d 709, 474 Mich. 893 (Mich. 2005).
10. Following is a selection of my appearances and litigation experience in labor and employment cases in U.S. District Courts and administrative proceedings.  
*Perez Perez v. Benito Vasquez*, 2:16-cv-14002 S.D. of Florida  
*Martinez et al v. Blue Star Farms, Inc. et al* 1:16-CV-00681 W.D. of Mich.  
*Garcia et al v. Marr et al* 1:13-CV-01170 W.D. of Mich.  
*Mendez et al v. Gavin et al* 1:16-CV-00026 W.D. of Mich.  
*Cruz Francisco et al v. Arellano et al* 1:15-CV-00768 W.D. of Mich.  
*Marquez et al v. Richter Farms, LLC et al* 1:14-CV-00030 W.D. of Mich.  
*Bacon v. Eaton Aeroquip, L.L.C.* 2012 WL 4321712 E.D. of Mich.  
*Nolasco Saldana, et al* 2:02-cv-73496 E.D. of Mich.  
*Lopez et al v. Dale Mitchell* 1:17-cv-00252 W.D. of Mich.  
*Ortega, et al v Lynn Mayer Great Lake, et al* 1:01-cv-00391-JGS W.D. of Mich.

*Ortiz v. Federal Express Corporation* 1:11-CV-00144 W.D. of Mich.  
*Degante v. Stokes et al* 1:10-CV-00509 W.D. of Mich.  
*Guerrero et al v. Brickman Group, LLC* 1:07-CV-01040 W.D. of Mich.  
*Cano et al v. Horkey et al* 2:07-CV-11625 E.D. of Mich.  
*Salinas et al v. Janssen et al* 2:07-CV-10979 E.D. of Mich.  
*Bautista v. Twin Lakes Farms, Inc.* 2007 WL 329162 W.D. of Mich.  
*Operating Engineers Local 324 Fringe Benefit Funds, Trustees of  
v. Pitsch Engineering, Inc et al* 2:06-CV-15118 E.D. of Mich.  
*Velazquez et al v. Ronald Rasch Farms et al* 1:06-CV-00412 W.D. of Mich.  
*Rojas et al v. Salazar et al* 4:06-CV-00076 W.D. of Mich.  
*Flores et al v. Carini Farms, Inc et al* 1:06-CV-00475 W.D. of Mich.  
*Gamino-Ramirez v. Hoornstra et al* 1:16-CV-01141 W.D. of Mich. (Civil Rights)  
*Northport Public School v. Gerald Woods, et al* 1:11-CV-00982 W.D. of Mich.  
*Andrade v. Madra's Cafe Corp.* 2:04-cv-71024 E.D. of Mich.  
*Sanchez et al v Leobardo Ocanas et al* 8 U.S.C. §1324B Proceeding OCAHO  
Case No. 04B00009 (Administrative)

11. Most recently, I have been approved as class counsel in the state and federal cases as follows: Kent County Circuit Court, Michigan, *Ortiz et al v Lawrence Williams et al*, Case No. 18-03182-CBB;

“The attorneys representing the three plaintiffs have manifestly shown themselves to be qualified to pursue this litigation as a class action...”

Hon. Christopher P. Yates, Kent County Circuit Court Judge, 7390518-03182-CBB, order at page 6. (March 18, 2020),

U.S. District Court, Western District case of *Martinez et al v Blue Star Farms, Inc.* et al 1:16-CV-00681 W.D. of Mich; and the current case of *Nieves et al v. Monsanto* Case No. 17-cv-50188 N.D. of Illinois.

12. Most recently, my hourly rate has been approved at \$375.00 in the certified class action of *Martinez et al v Blue Star Farms, Inc.* et al 1:16-CV-00681 RJJ-PJG W.D. of Mich. ECF No. 149 filed 03/29/18 PageID.6681 Page 18 of 27.
13. Attached as Exhibit A is a record of the hours I worked on this case. The hours I have expended in this case, together with the hours being expended into the future to administer the class settlement, will exceed the cumulative stipulated maximum fees agreed to in the settlement for all Plaintiffs' counsel.

Dated: September 30, 2020

  
Teresa Hendricks

Date	EXHIBIT A - HOURS/COSTS	Time	Costs
6/11/2016	Outreach planning; discussions with client;	1.0	
9/5/2016	Drafting/Reviews of Rule 26 (f)	0.8	
12/2/2016	Emails from OC+CC - Opposing counsel	0.5	
6/29/2017	Review and discuss class rep roles and complaint filed by clients: Roberto Perez Perez and Armando Nieves	1	
6/30/2017	Discussed and reviewed case status/Motion	0.8	
6/30/2017	Review briefing schedule	0.1	
7/5/2017	Update clients. Read Minute entry before Honorable Johnston; status hearing set	0.4	
7/19/2017	Review Motion by defendant Monsanto Company for extension of time to file answer	0.1	
7/20/2017	Review Motion for an extension of time granted for defendant	0.1	
7/20/2017	Review Western Division ADR notification	0.1	
8/3/2017	Discussion with clients re case status and motion.	0.5	
8/21/2017	Re-hearing + Strategy	0.5	
8/21/2017	Docket Text Review	0.1	
8/21/2017	Contact clients re: Perez individual offer + Respond to co-counsel	0.5	
8/25/2017	Review Status Report	0.1	
9/8/2017	Review Answer to complaint by Monsanto Company ; client contact	0.5	
9/13/2017	Review offer made D's	0.5	
9/13/2017	Contacting client - Armando Nieves- Discussing the case and issues among co-counsel	1.5	
9/20/2017	Case update for clients re: Motion to clarify courts order from 9/23/17.	0.5	
9/26/2017	Review Response by Monsanto Company to the motion by the plaintiffs Armando Nieves and Roberto Perez-Perez	0.5	
9/29/2017	Review offer terms with clients	1.0	
10/3/2017	Discussion re: Motion hearing held	3	
11/16/2017	Review Position Statements by Monsanto Company	0.5	
11/16/2017	Discuss and review Position statements by Armando Nieves and Roberto Perez-Perez.	0.5	
11/20/2017	Minute entry on the plaintiffs motion to transfer	0.1	
12/13/2017	Motion by defendant Monsanto Company for leave to file response in opposition to plaintiffs motion to transfer	0.5	
12/14/2017	Review case status with clients, new schedule for reply	0.2	
12/14/2017	Review Memorandum by Monsanto Company in opposition to motion to transfer case	0.5	
1/4/2018	Review/approve Motion by Plaintiffs to amend/correct complaint	0.2	
1/4/2018	Review/approve reply by Armando Nieves and Roberto Perez-Perez to motion to transfer case	0.3	
3/22/2018	Note re: status hearing previously set is stricken and is reset	0.1	
5/2/2018	Note re: status hearing previously set is stricken and is reset again and counsel must appear in person	0.1	
7/5/2018	Discussion re: Plaintiffs motion to transfer venue is denied	0.3	
7/10/2018	Client update re: Amended complaint by Roberto Perez-Perez and Armando Nieves	0.2	
7/24/2018	Review Answer to amended complaint by Monsanto Company	0.5	
8/14/2018	Discuss new dates, briefing schedule. Update clients	0.3	
9/3/2018	Review/discuss Motion by Plaintiffs Armando Nieves and Roberto Perez-Perez to amend/correct amended complaint	0.2	
9/4/2018	Review Notice- Plaintiffs will not be seeking a stay in this matter by Armando and Roberto	0.1	
9/4/2018	Discuss Plaintiffs motion for leave to amend	0.5	
9/5/2018	Discussion re: P's motion to amend/correct amended complaint is removed	0.2	
9/24/2018	Review Reponse by Monsanto Company to motion Plaintiffs to amend/correct complaint	0.5	
9/24/2018	Review draft Second amended complaint by plaintiffs against Monsanto Company	0.3	
10/24/2018	Review Answer to amended complaint second by Monsanto Company	0.4	
10/24/2018	Discuss settlement conference with clients	1	
10/26/2018	Contact with client Armando Nieves	0.1	
11/6/2018	Update RPP re date set for settlement conference, plan, availability	0.5	
11/15/2018	Contact with client Armando Nieves	0.1	

11/16/2018	Contact with client Roberto Perez Perez	0.1	
12/10/2018	Advise clients they can appear by phone	0.2	
12/16/2018	Hotel		\$116.48
12/16/2018	Travel from Grand Rapids to Hotel	3.1	
12/17/2018	Drive to Rockford	1.2	
12/17/2018	Settlement Conference	5.7	
12/17/2018	Drive from Rockford to Hotel to Grand Rapids	4.3	
12/18/2018	Review CMO form on IJ's web page	0.2	
1/8/2019	Review/approve Parties proposed case management order by Armando Nieves and Roberto Perez-Perez	0.3	
3/6/2019	Motion by defendant Monsanto Company for extension of time to file Motion for preliminary approval of settlement	0.5	
3/8/2019	Review/discuss Motion by Plaintiffs for settlement approval of class settlement. .5	0.5	
3/9/2019	Note re: The parties joint motion for an extension is granted	0.1	
5/13/2019	Review Amended general order 19-0007	0.1	
9/26/2019	Note re: Status hearing held /Telephonic hearing continued	0.1	
9/28/2019	Research cy pres recipients	0.6	
10/7/2019	Contact with client Armando Nieves	0.1	
10/30/2019	Contact with client Armando Nieves	0.1	
11/25/2019	Contact with client Armando Nieves	0.1	
11/26/2019	Contact with client Roberto Perez Perez	0.1	
12/30/2019	Contact with client Roberto Perez Perez	0.1	
1/3/2020	Contact with client Armando Nieves	0.1	
1/20/2020	Contact with client Roberto Perez Perez	0.1	
2/3/2020	Draft notes re: Status hearing	0.5	
2/4/2020	Client update re: report to court of settlement status	0.5	
2/5/2020	Contact with client Armando Nieves	0.1	
2/13/2020	Contact with client Roberto Perez Perez	0.1	
3/2/2020	Contact with client Armando Nieves	0.1	
3/3/2020	Contact with client Armando Nieves	0.1	
3/3/2020	Contact with client Roberto Perez Perez	0.1	
3/6/2020	Contact with client Roberto Perez Perez	0.1	
3/7/2020	Contact with client Roberto Perez Perez	0.1	
3/9/2020	Contact with client Roberto Perez Perez	0.1	
3/10/2020	Contact with client Roberto Perez Perez	0.1	
3/11/2020	Contact with client Roberto Perez Perez	0.1	
3/12/2020	Contact with client Roberto Perez Perez	0.1	
3/13/2020	Contact with client Roberto Perez Perez	0.1	
3/14/2020	Contact with client Armando Nieves	0.1	
3/15/2020	Contact with client Roberto Perez Perez	0.1	
3/16/2020	Contact with client Armando Nieves	0.1	
3/17/2020	Contact with client Armando Nieves	0.1	
3/19/2020	Contact with client Armando Nieves	0.1	
3/20/2020	Contact with client Armando Nieves	0.1	
4/7/2020	Advise clients of court receipt of motion for conditional certification of settlement class, etc. and COVID delays expected	0.5	
4/9/2020	Contact with client Roberto Perez Perez	0.1	
4/24/2020	Reviewed Order third amended general order 20-0012	0.1	
5/15/2020	Update clients parties need not appear for motion for conditional cert.	0.5	
5/26/2020	Read Order fourth amended general order 20-0012	0.1	
7/6/2020	Contact with client Roberto Perez Perez	0.1	
7/10/2020	Read Order fifth amended general order 20-0012	0.1	
7/28/2020	Contact with client Roberto Perez Perez	0.1	
7/29/2020	Contact with client Armando Nieves	0.1	
7/30/2020	Contact with client Roberto Perez Perez	0.1	
8/2/2020	Contact with client Roberto Perez Perez	0.1	

8/3/2020	Contact with client Roberto Perez Perez	0.1	
8/3/2020	Advise/update clients re: motion for cond. settlement class and preliminary approval order of settlement signed	0.6	
8/4/2020	Class Mailing		\$529.40
8/31/2020	Review Claim forms from clients	0.4	
9/4/2020	Review Claim forms from clients	0.2	
9/7/2020	Review Claim forms from clients	0.2	
9/9/2020	Review Claim forms from clients	0.2	
9/15/2020	Research and review places to place notice for class settlement - to inform clients	0.4	
9/15/2020	Prepare notes for client discussions	1	
9/16/2020	Review class list received from opposing counsel	0.4	
9/16/2020	Phone call with Nieves and Perez-Perez re settlement	2	
9/18/2020	Notice of packets sent out- in english and translated to spanish	0.6	
9/24/2020	Review translated settlement documents	2	
9/28/2020	Respond to questions on settlement for RPP	0.4	
10/1/2020	Calculate bulk Email correspondence with co-counsel from September 2017 to September 2020 490 total @ .1 each	49	
<b>Total</b>		<b>102.2</b>	<b>\$645.88</b>

## **APPENDIX 3**



**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION**

ARMANDO NIEVES, individually and on  
behalf of similarly situated persons,  
and ROBERT PEREZ-PEREZ, individually,

Plaintiffs,

v.

MONSANTO COMPANY,

Defendant.

Case No. 17-cv-50188

**Judge John Robert Blakey**

DECLARATION OF PATRICIA KAKALEC

Patricia Kakalec, an attorney duly licensed to practice law in the State of New York and admitted to this Court *pro hac vice*, declares pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an attorney with Kakalec Law PLLC, co-counsel counsel for Plaintiffs in the above-referenced action, and, as such, I am familiar with the facts and documents relevant to this dispute.
2. This declaration concerns attorneys' fees and costs. I have previously submitted a declaration in support of my qualification to serve as class counsel (Docket #94-1), but I include some of the information from that declaration again here for the Court's convenience.
3. Throughout my years of legal practice, I have focused on representing the interests of employees in employment matters, first as a legal services lawyer, then in government, and now in private practice.

4. For six years, I was an attorney representing migrant farmworkers throughout New York State, first with the Farmworker Law Project of the Legal Aid Society of Mid-New York, Inc., and then with Farmworker Legal Services of New York, Inc. (“FLSNY”). At FLSNY, my practice included class actions brought on behalf of groups of farmworkers. Later, I was the founder and Executive Director of the Workers’ Rights Law Center of New York, Inc., where I represented low-wage and immigrant workers in individual and class actions related to non-payment of wages, failure to pay overtime, discrimination, retaliation, and other legal violations.
5. I served as the Deputy Bureau Chief, Bureau Chief, and Special Counsel of the New York State Attorney General’s Labor Bureau.
6. During my time as a legal services lawyer, I represented low-wage workers in class actions and individual actions. I filed and was counsel in approved settlement classes in the cases *Luis v. Peppy’s Foods, Inc.*, 05-CV-5595 (S.D.N.Y.) and *Perez v. Newburgh Auto Spa*, 05-CV-8883 (S.D.N.Y.). I also served as class counsel in other actions, including *Iglesias-Mendoza v. La Belle Farm, Inc.*, 06-Civ-1756 (S.D.N.Y.), although not at the time that class certification was before the court.
7. During my eight years at the Attorney General’s office, because that office does not bring class actions, I did not serve as counsel on any class actions. However, I was responsible for numerous investigations into labor violations at workplaces with large workforces, and for lawsuits brought by the People to vindicate the rights of employees. For example, I represented the People’s interest in actions involving hundreds or thousands of New York City taxi drivers, restaurant workers, fast food

workers, and others. While these were not formally class actions, my legal work was akin to the work an attorney would perform in a class action such as the instant case.

8. Since leaving the New York Attorney General's Office, I have been certified as class counsel in the case *Antonio Chavez Rodriguez, et al. v. Hermes Landscaping, Inc.*, 2:17-cv-02142 (D. Kan.) I am currently also Plaintiffs' counsel in putative class actions pending in Georgia and New York.
9. I am a 1993 cum laude graduate of Harvard Law School. I was admitted to practice in New York State in 1994, and am admitted in all federal courts in New York State, as well as in the Second Circuit. I served as a law clerk to the Hon. Denis R. Hurley in the United States District Court for the Eastern District of New York, and was also a litigation associate with the former firm LeBoeuf, Lamb, Greene & MacRae, LLP. In 2010 I was a Wasserstein Fellow at Harvard Law School, a fellowship awarded for "outstanding public interest lawyers."
10. Attached hereto as Exhibit A is a record of hours I worked on this case.
11. I used a \$500 hourly rate for my work on this case (other than for travel, for which I used a \$250 hourly rate). In the class action *Antonio Chavez Rodriguez, et al. v. Hermes Landscaping, Inc.*, Case No. 2:17-cv-02142 (D. Kan.) the Court approved a class settlement which included my time at a \$500 hourly rate.
12. In addition, I have had numerous other settlements (*see, e.g., Hernandez et al v. Hacienda Mexicana Corp.*, 17-CV-5608 (SDNY); *Flores v. Battery Place Market Corp., et al.*, 17-CV-2611 (ALC)(KNF) (SDNY); *Gao v. Graceful Services, Inc. et al.*, 18-CV-4005 (SDNY)) approved using a \$500 hourly rate.

13. A rate of \$500 is justified in light of my experience as set forth here and in my prior declaration.
14. The total attorneys' fees at my hourly rate of \$500 per hour greatly exceed the amount all Plaintiffs' counsel are seeking, jointly, in this case.

Dated: Brooklyn, New York  
October 8, 2020

A handwritten signature in black ink, appearing to read "Patricia Kakalec", written in a cursive style.

Patricia Kakalec

## EXHIBIT A

<u>Date</u>	<u>Hours</u>	<u>Activity category</u>	<u>Description</u>	<u>Rate (\$)</u>	<u>Amount</u>
2/10/2017	2.5	Investigate	Initial investigation, research, review documents.	\$500.00	\$1,250.00
5/14/2017	2.5	Draft	Begin drafting complaint; research for same	\$500.00	\$1,250.00
5/15/2017	4.3	Draft	Drafting complaint, review AWPA complaints, review transcript from FL case; identify additional Qs.	\$500.00	\$2,150.00
5/16/2017	4.1	Edit/revise	Drafting complaint/AWPA research	\$500.00	\$2,050.00
6/28/2017	3.9	Confer	Confer w/ co-counsel re: draft complaint; circulate; incorporate edits.	\$500.00	\$1,950.00
6/28/2017	1	Draft	Draft pro hac papers	\$500.00	\$500.00
6/29/2017	2.9	Edit/revise	Finalize Complaint and papers for filing by co-counsel	\$500.00	\$1,450.00
6/30/2017	0.8	Confer	Confer w/ co-counsel re: case status, next steps	\$500.00	\$400.00
7/11/2017	0.6	Draft	Pro hac papers	\$500.00	\$300.00
9/11/2017	5	Travel	Travel to Illinois (half regular hourly rate)	\$250.00	\$1,250.00
9/11/2017	0.6	Confer	Confer w/ co-counsel re: conference	\$500.00	\$300.00
9/12/2017	1.2	Conference	Initial conference	\$500.00	\$600.00
9/12/2017	5	Travel	Return travel from Illinois (half regularly hourly rate)	\$250.00	\$1,250.00
9/18/2017	0.4	Review	Review D's answer	\$500.00	\$200.00
9/19/2017	0.7	Edit/revise	Review draft motion to clarify	\$500.00	\$350.00
10/3/2017	0.5	Court	Court conference/telephonic	\$500.00	\$250.00
10/3/2017	1.2	Confer	Confer w/co-counsel re: court conference, next steps	\$500.00	\$600.00
11/1/2017	1.4	Research	Research for motion to transfer venue	\$500.00	\$700.00
11/2/2017	3.5	Draft	Drafting motion to transfer venue	\$500.00	\$1,750.00
11/15/2017	3.1	Draft/research	Add'l research for motion to transfer venue; draft and revise motion; circulate to co-counsel.	\$500.00	\$1,550.00
11/15/2017	0.8	Draft	Draft position statement	\$500.00	\$400.00
11/16/2017	1.3	Confer, edit/revise	Confer w/ co-counsel re: position statement and motion to transfer venue; edit/revise statement, incorporate co-counsel comments, file via ECF	\$500.00	\$650.00

11/16/2017	2.3	Drafting	Finalize motion to transfer venue. Incorporate co-counsel edits; file by ECF.	\$500.00	\$1,150.00
12/14/2017	0.3	Review	Review D response to motion to transfer venue	\$500.00	\$150.00
1/3/2018	2	Research	Research issues in response to transfer venue motion, notes for reply brief	\$500.00	\$1,000.00
1/4/2018	3.8	Drafting	Drafting reply brief on transfer venue	\$500.00	\$1,900.00
1/5/2018	5.6	Edit/revise	Finalize reply brief re: motion to transfer venue; incorporate co-counsel comments; revise and file via ECF	\$500.00	\$2,800.00
4/4/2018	0.1	Telephone call	to/from client	\$500.00	\$50.00
5/2/2018	0.1	Email	Emails re: new ct. date	\$500.00	\$50.00
7/5/2018	0.2	Review	Review court order denying motion to transfer venue	\$500.00	\$100.00
7/9/2018	0.7	Research	re: substituting party	\$500.00	\$350.00
7/9/2018	0.3	Telephone call	TC w/ co-counsel re: next steps	\$500.00	\$150.00
7/10/2018	0.2	Research	online re: Monsanto-Bayer	\$500.00	\$100.00
7/18/2018	0.5	Draft	Supplement to motion to restore dates	\$500.00	\$250.00
8/13/2018	0.9	Research	TC w/ C. Warner re: conference, Florida amendment (.3); research re: AWPA s/l in Florida (.4); review proposed amended complaint (.2)	\$500.00	\$450.00
8/14/2018	0.5	Telephone call	Calls w/ C. Warner re: conference, next steps	\$500.00	\$250.00
9/24/2018	1.2	Draft	Edits to complaint for second amended complaint, confer with co-counsel	\$500.00	\$600.00
9/25/2018	0.6	Edit/revise	Comments on second amended complaint to co-counsel	\$500.00	\$300.00
11/6/2018	0.3	Prepare	Prepare for court conference	\$500.00	\$150.00
11/6/2018	0.7	Attend Court	Telephone court conference include wait time	\$500.00	\$350.00
11/6/2018	0.2	Draft	Edit & file change address	\$500.00	\$100.00
11/6/2018	0.2	Email	Emails w/ co-counsel in advance of conference	\$500.00	\$100.00
11/8/2018	0.6	Draft	Draft ltr to MJ Johnston re: Ps appearing by phone for conference	\$500.00	\$300.00
11/9/2018	0.4	Draft	Begin drafting settlement letter	\$500.00	\$200.00
12/16/2018	0.5	Confer	Confer w/ co-counsel re: settlement conference	\$500.00	\$250.00

12/17/2018	1.5	Settlement relat	Confer w/ co-counsel re: settlement conference by phone (co-counsel present in person)	\$500.00	\$750.00
1/8/2019	0.1	File	File proposed case management order	\$500.00	\$50.00
1/11/2019	0.1	Review	review minute entry	\$500.00	\$50.00
1/22/2019	0.6	Telephone call	Confer w/ co-counsel re: next steps	\$500.00	\$300.00
3/3/2019	4	Drafting	Drafting interrogatories and requests for documents to D	\$500.00	\$2,000.00
3/4/2019	0.8	Edit/revise	Edit/revise interrogatories/document requests.	\$500.00	\$400.00
5/2/2019	0.5	Telephone call	Conference call	\$500.00	\$250.00
7/29/2019	0.1	Email	Email re: deposition location	\$500.00	\$50.00
8/12/2019	0.6	Telephone call	TC w/ T. Hendricks & Curtis Werner re: next steps, depositions, settlement; draft email	\$500.00	\$300.00
1/24/2020	0.5	Telephone call	Call w/ D counsel re: settlement	\$500.00	\$250.00
2/4/2020	0.4	Attend Court	Telephone court conference	\$500.00	\$200.00
3/4/2020	0.4	Telephone call	Conference call re: settlement	\$500.00	\$200.00
3/5/2020	0.8	Settlement relat	Edits to settlement agreement, confer w/ co-counsel & D counsel re: same	\$500.00	\$400.00
3/6/2020	1.2	Review	Review D comments on settlement agreement, emails re: same, confer w/ co-counsel	\$500.00	\$600.00
3/8/2020	2.5	Draft	Drafting motion for preliminary approval	\$500.00	\$1,250.00
3/9/2020	3.8	Draft, revise & e	Research motion for preliminary approval, edits (3.1); draft Kakalec decl. (.4); draft NOM (.3);	\$500.00	\$1,900.00
3/10/2020	5.7	Revise & edit, file	Revise & edit motion papers, compile exhibits, comments from D counsel, comments from and confer w/ co-counsel; file on ECF	\$500.00	\$2,850.00
3/18/2020	0.2	Email	Emails w/ C. Goddard -- sending new signatures, new date/location for conference	\$500.00	\$100.00
5/16/2020	0.3	Review	Review C. Warner proposed status report	\$500.00	\$150.00
7/31/2020	0.3	Emails	Emails with Court clerk Ms. Donovan re: proposed order, file revised	\$500.00	\$150.00

8/3/2020	0.1	Review	Review class list from Ds	\$500.00	\$50.00
8/4/2020	0.2	Review	Review decision re: preliminary approval	\$500.00	\$100.00
10/5/2020	0.2	Review	Review CAFA notice from Ds	\$500.00	\$100.00
TOTAL	94.4				\$42,200.00