

EXHIBIT 9

LITE DEPALMA GREENBERG, LLC

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*Counsel for Plaintiff Pumaro, LLC
and additional Counsel for the Class*

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

IN RE TEZOS SECURITIES LITIGATION

This document relates to:

ALL ACTIONS.

Master File No. 17-cv-06779-RS

CLASS ACTION

**DECLARATION OF JOSEPH J.
DEPALMA IN SUPPORT OF LEAD
COUNSEL'S MOTION FOR AN
AWARD OF ATTORNEYS' FEES AND
LITIGATION EXPENSES AND
CHARGES**

**FILED ON BEHALF OF PLAINTIFF
PUMARO, LLC**

Date: August 27, 2020
Time: 1:30 p.m.
Courtroom: 3, 17th floor
Judge: Hon. Richard Seeborg

I, Joseph J. DePalma, Esq., pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am admitted to practice law before all the courts of New Jersey and am admitted *pro hac vice* in this Action. I am the managing member of the law firm Lite DePalma Greenberg, LLC (“Lite DePalma”) and counsel of record for Pumaro, LLC. I respectfully submit this declaration in support of Lead Counsel’s Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses.

2. Throughout this litigation, Lite DePalma has served as counsel to plaintiff Pumaro, LLC and as “additional counsel” for Plaintiffs and the putative class. The background and experience of the professionals at my firm are summarized in the firm resume attached hereto as **Exhibit A**. Lite DePalma has participated in this litigation exclusively on a contingent-fee basis and thus has assumed substantial risk of nonpayment.

3. I am fully familiar with the matters set forth herein because, since the case commenced in 2017, I have been directly and personally involved with this litigation or kept apprised of developments in the litigation by the trusted attorneys working with me and under my supervision. I can and would testify to the matters set forth herein if called upon to do so.

4. Lite DePalma has materially contributed to the successful prosecution and resolution of this Action. Beginning in August 2017 and in cooperation with The Restis Law Firm, P.C., my firm investigated the facts and circumstances of the Tezos ICO, analyzed the state of the law with respect to the application of existing securities laws to cryptocurrency investments, and drafted and filed the original complaint in this consolidated Action. *See* No. 17-cv-06779-RS, Dkt No. 1. Lite DePalma and The Restis Law Firm served the original complaint and published the PSLRA notice. Dkt No 12. Thereafter, my firm along with The Restis Law Firm moved for appointment as co-lead counsel for lead plaintiff group GGCC, LLC, Pumaro, LLC and Nick Anthony. Dkt No 53.

5. Subsequent to appointment of Arman Anvari as Lead Plaintiff, Lead Counsel requested that Lite DePalma jointly prosecute this case based on the scope and depth of its involvement in the case since commencing the litigation. My firm agreed and, at the direction and approval of Lead Counsel, Lite DePalma substantially contributed to all aspects of the

litigation, including materially assisting in the research and drafting of the Consolidated Complaint. See Dkt No 108, at 41 (Lite DePalma as “Additional Counsel for the Class”).

6. In addition, Lite DePalma materially contributed to the prosecution of this litigation by researching or drafting numerous legal briefs, in whole or in part, in support of a motion to stay (Dkt. No. 109), in opposition to motions to dismiss (Dkt. No. 133, 134, 135), in support of a motion to substitute Lead Plaintiff (Dkt. No. 198), and in support of class certification (Dkt. No. 193).

7. In addition, my firm contributed in myriad other ways on a day-to-day basis, including by preparing and responding to written discovery, reviewing documents produced in discovery, and preparing for and attending depositions, including the defense of the critical deposition of Pumaro LLC, whom Lead Counsel would later propose of Class Representative. (Dkt. No. 193).

8. Lite DePalma also played a key role in preparing for the first mediation of this litigation before Professor Eric Green. My firm assisted in mediator selection, drafted material portions of the mediation brief, prepared Plaintiffs’ damages model, proposed settlement structures, and prepared for and attended the mediation in San Francisco, all at the express direction of Lead Counsel.

9. My firm’s role in the litigation changed after the Court appointed Trigon Trading Party, Ltd. as Lead Plaintiff, and created a new lead counsel structure. However, Lite DePalma was still intermittently called upon by Lead Counsel to provide input on matters such as the current proposed settlement.

10. Lite DePalma’s total hours and lodestar, computed at current rates, from August 22, 2017 through the date of this filing, are provided below. The total number of hours spent by Lite DePalma during this time period was 824.4 hours with a corresponding lodestar of \$544,157.50. This summary was prepared from contemporaneous, daily time records regularly prepared and maintained by Lite DePalma. The lodestar amounts reflected below is for work assigned and approved by Lead Counsel and has been performed by professional staff at Lite DePalma for the benefit of Plaintiffs and the settlement class. The hourly rates for myself and

support staff are Lite DePalma's regular hourly rates, which are based on comparable rates charged by firms in the field of securities litigation and approved by courts in connection with contingency fee applications by plaintiffs' counsel in similar securities litigation matters.

11. Attorneys and Professional Support Staff at my firm billed the following aggregate hours to this matter from August 22, 2017 through the date of this filing, with fees applied at the firm's current billing rates:

Timekeeper	Type	Hours	Hourly Rate	Total
Joseph J. DePalma	PT	246.1	800.00	\$196,880.00
Bruce D. Greenberg	PT	46.1	800.00	\$36,880.00
Steven J. Greenfogel	C	38.6	850.00	\$32,810.00
Jeremy N. Nash	C	347.0	675.00	\$234,225.00
Michael R. Darbee	A	10.1	525.00	\$5,302.50
Heather Sertial	A	24.1	525.00	\$12,652.50
Jonathan M. Carrillo	A	4.8	425.00	\$2,040.00
Francis A. Kenny	A	3.7	375.00	\$1,387.50
Amanda M. Cunha	CL	25.4	225.00	\$5,715.00
Newton Portorreal	CL	67.2	200.00	\$13,440.00
Elvira Palomino	PL	0.6	250.00	\$150.00
Eric Henley	PL	10.7	250.00	\$2,675.00
Totals		824.4		\$544,157.50

P = Partner; C = Counsel; A = Associate; Clerk = CL; PL = Paralegal

12. Attached hereto as **Exhibit B** is Lite DePalma's total hours and lodestar broken out by task category. I believe that all the time reflected in these charts was reasonable and necessary to achieve the successful result in this case.

13. Lite DePalma has expended a total of \$6,821.24 in unreimbursed costs and expenses in connection with the prosecution of this Action. A summary of these costs and expenses are set forth below. They were incurred by Lite DePalma on behalf of Plaintiffs on a contingent basis and have not been reimbursed. These expenses are reflected in the books and records of Lite DePalma. These books and records are prepared from receipts, check records and other source materials, and represent an accurate record of the expenses incurred:

Category	Expense
Expert Witnesses	\$0
Travel (Flights, Lodging, Meals)	\$3,361.05
Document Review Software	\$0
Legal Research	\$0
Court Fees	\$1,047.00
Court Reporters / Depositions	\$1,450.00
Printing	\$0
Process Servers	\$917.00
Shipping & Postage	\$46.19
Total Expenses	\$6,821.24

14. I have reviewed the time and expenses reported by Lite DePalma in this matter, which are included in this declaration and exhibits, and I affirm they are true and accurate.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 24th day of July 2020, at Newark, New Jersey.

By: /s/ Joseph J. DePalma

Joseph J. DePalma, Esq.



Exhibit A

FIRM BIOGRAPHY

LITE DEPALMA GREENBERG, LLC

JULY 2020

Lite DePalma Greenberg, LLC is a general practice law firm, with offices in Newark and Philadelphia. The firm specializes in commercial and complex litigation with a concentration in class action matters in the areas of securities, antitrust, consumer fraud and insurance sales practices. More detail about the firm and its attorneys appear on its Web site, www.litedepalma.com.

MEMBERS OF THE FIRM

JOSEPH J. DEPALMA (Newark Office), the Firm's Managing Member, has a vast breadth of experience in many types of class action cases involving securities, ERISA, antitrust, product liability and consumer fraud. Mr. DePalma also handles shareholder derivative litigation, commercial litigation and transactional matters for the firm's corporate clients. He has a Masters Degree in Business Administration and a J.D. degree from Seton Hall University School of Law.

Mr. DePalma and LDG have served as Co-Lead Counsel for the State of New Jersey, Division of Investment, as Lead Plaintiff in two prominent class actions that have resulted in significant recoveries: *Reginald Newton v. Tenet Healthcare Corp.*, (Tenet Healthcare Securities Litigation), cv-02-8462-RSWL (C.D. Cal.) (\$281.5 million settlement); *In re Motorola Securities Litig.*, Civ. No. 03-C-287 (N.D. Ill.) (\$193 million settlement reached three business days before trial).



Mr. DePalma has also played an active role in obtaining settlements in numerous recognized class actions comprising some of the largest settlements in the nation. Included in such cases are: *In re Prudential Ins. Co. of America Sales Practices Litig.*, 148 F.3d 283 (3d Cir. 1998) (over \$4 billion paid out in largest insurance sales practices settlement ever) (Liaison Counsel); *In re Lucent Technologies Securities Litig.*, Civil Action No. 00cv621(AJL) (D.N.J.), reported opinions, 2003 WL 25488395 (D.N.J. Dec. 15 2003), 2002 WL 32815233 (D.N.J. July 16, 2002), 217 F. Supp. 2d 529 (D.N.J. 2002), 2002 WL 32818345 (D.N.J., May 9, 2002), 221 F. Supp. 2d 463 (D.N.J. 2001), 221 F. Supp. 2d 472 (D.N.J. 2001)(approximate \$610 million settlement)(Liaison Counsel); *Galanti v. Goodyear*, Civil Action No. 03-209(SRC)(D.N.J.)((\$300 million product liability settlement)(Liaison Counsel); *In re Aremissoft Corp. Securities Litig.*, Civil Action No. 01-CV-2486 (JAP) (D.N.J.), reported opinion, 210 F.R.D. 109 (D.N.J. 2002)(over \$250 million recovered to date; case is ongoing)(Liaison Counsel); *In re Royal Dutch/Shell Transport Litigation*, Civil Action No. 04-1398(JWB)(D.N.J.), reported opinions, 404 F. Supp. 2d 605 (D.N.J. 2005), 380 F. Supp.2d 509 (D.N.J. 2005) (\$90 million ERISA settlement, the largest settlement ever under ERISA) (Liaison Counsel); *P. Schoenfeld Asset Management, LLC v. Cendant Corp.*, Civil Action No. 98-4734(WHW) (\$26 million settlement after precedent-setting decision in same case, *Semerenko v. Cendant Corp.*, 223 F.3d 165 (3d Cir. 2000))(Liaison Counsel); *Steiner v. MedQuist*, Civil Action No. 04-CV-05487-JBS (D.N.J.), reported opinion, 2006 WL 2827740 (D.N.J. Sept. 29, 2006)(\$7.75 million)(Liaison Counsel); *In re Tellium Securities Litig.*, No. 02-CV-5878 (FLW) (D.N.J.), reported opinion, 2005 WL 1677467 (D.N.J. June 30, 2005)(\$5.5 million)(Liaison Counsel), and; *In re NUI Securities Litig.*,



Civil Action No. 02-CV-5220 (MLC)(D.N.J.), reported opinion, 314 F. Supp. 2d 388 (D.N.J. 2004) (\$3.5 million)(liaison counsel).

Mr. DePalma's years of experience also include the following major matters: *In re Computron Software, Inc. Securities Litig.*, Civil Action No. 96-1911 (AJL)(approximate \$15 million settlement) (Liaison Counsel); *In re USA Detergents, Inc. Securities Litigation*, Master File No. 97-2459 (MTB), District of New Jersey (\$10 million settlement)(Liaison Counsel); *In re: The Children's Place Securities Litig.*, Master File No. 97-5021 (JCL), District of New Jersey, reported opinion, 1998 WL 35167284 (D.N.J. Sept. 4, 1998)(\$1.7 million settlement) (Liaison Counsel); *Arthur Fields, et al. v. Biomatrix, Inc., et al.*, Civil Action No. 00-CV-3541(WGB), District of New Jersey (\$2.45 million settlement) (Liaison Counsel), and *In re Atlas Mining Securities Litig.*; Civil Action No. 07-428-N-EJL (D. Idaho) (\$1.25 million) (Lead Counsel).

Some of Mr. DePalma's other court approved class action and mass action settlements, all approved in 2010, involved product liability, takeover and ERISA matters. In a complex MDL mass action proceeding involving the illegal harvesting of body parts and the untested surgical implanting of those parts, Mr. DePalma, along with a team of nationally recognized colleagues, achieved a global settlement in a case captioned *In re Human Tissue Product Liability Litig.* (D.N.J.). Mr. DePalma achieved a settlement on behalf of shareholders in tender offer litigation, captioned *In re Alparma Shareholder Litigation*, (N.J. Superior Ct.). In a complex ERISA matter involving two appeals to the Third Circuit, Mr. DePalma obtained a settlement of \$8.5 million on behalf of a class of participants in a retirement plan alleging breaches of fiduciary duties. *In re Schering-Plough Corporation ERISA Litigation*, (D.N.J.).



Mr. DePalma has also achieved excellent results for clients in other areas of litigation. Among other things, he won large settlements for a condominium association on construction defect and legal malpractice claims and has successfully handled securities arbitrations as well.

Mr. DePalma has lectured in the area of real estate law and in complex commercial litigation. He has also served as a member of the New Jersey Supreme Court's District Ethics Committee.

Mr. DePalma was named as a New Jersey Super Lawyer in the 2007-2019 issues of *New Jersey Monthly* magazine. He was also named to ALM's 2012 "New Jersey Top Rated Lawyers," listed under "Business & Commercial."

BRUCE D. GREENBERG (Newark Office) has served as Co-Lead Counsel, Executive Committee or Steering Committee member, or Liaison Counsel in major antitrust, defective products, consumer fraud, and securities class action cases. He also handles sophisticated appellate, commercial and real estate litigation.

A number of Mr. Greenberg's class action cases have resulted in significant settlements. Among his federal court class action successes are a settlement worth more than \$750 million for a nationwide class in *Varacallo v. Massachusetts Mutual Life Ins. Co.*, 226 F.R.D. 207 (D.N.J. 2005) (Co-Lead Counsel), an insurance sales practices case, a \$35.75 million nationwide class settlement in *In re STEC Securities Litig.*, No. SACV 09-01304-JVS (MLGx) (Co-Lead Counsel), a securities fraud case, *Cole v. NIBCO, Inc.*, No. 13-7871(FLW) (TJB) (Co-Lead Counsel), a \$43.5 million nationwide settlement in a defective products case, a nationwide consumer settlement worth up to \$13 million in *Schwartz v. Avis Rent a Car System, LLC*, Civil Action No. 11-4052(JLL) (Co-Lead Counsel), a highly valuable nationwide settlement in *In re Samsung DLP Television Class Action Litigation*, Civil Action No. 07-2141(GEB) (MCA)



(Executive Committee), settlements totaling over \$200 million for a nationwide class in the multidistrict antitrust litigation captioned *In re Insurance Brokerage Antitrust Litigation*, MDL No. 1663, Civil Action No. 04-5184(FSH) (District of New Jersey) (Liaison Counsel), and another antitrust class action, *In re Liquid Aluminum Sulfate Antitrust Litigation*, MDL No. 2687, Civil Action No. 16-md-2687(JLL)(JAD) (District of New Jersey) (Steering Committee and Liaison Counsel), which produced settlements totaling over \$90 million for a nationwide class. His efforts as Co-Lead Counsel for certified classes in the United States District Court for the Western District of Pennsylvania (*Zeno v. Ford Motor Co.*, 238 F.R.D. 173 (W.D. Pa. 2006), and 480 F. Supp. 2d 825 (W.D. Pa. 2007)) and in the Superior Court of New Jersey, led to a four-state settlement that afforded full benefit of the bargain relief to consumers in *Pedersen v. Ford Motor Co.*, No. GIC 821797 (Cal. Super Ct.). Mr. Greenberg was also instrumental in *In re Motorola Securities Litig.*, Civ. No. 03-C-287 (N.D. Ill.), where LDG, as Co-Lead Counsel, achieved a \$193 million settlement just three business days before trial was to begin.

Mr. Greenberg's New Jersey state court class actions include a settlement valued at \$8.6 million for a nationwide class of current and former merchants in *Roma Pizzeria v. Harbortouch f/k/a United Bank Card*, Docket No. HNT-L-637-12 (Co-Lead Counsel); a \$100 million settlement for a nationwide consumer class in *Friedman v. Samsung Electronics America, Inc.*, Docket No. BER-L-7250-01 (Liaison Counsel), a comparably sized settlement for a nationwide consumer class in *Summer v. Toshiba America Consumer Products, Inc.*, Docket No. BER-L-7248-01 (Liaison Counsel), another nationwide consumer class settlement in *Barrood v. IBM*, Docket No. MER-L-843-98 (Co-Lead Counsel), which afforded class members full benefit of the bargain relief, (Co-Lead Counsel), a settlement for a New Jersey consumer class worth over \$7 million in *Delaney v. Enterprise Rent-A-Car Co.*, Docket No. OCN-L-1160-01 (Co-Lead



Counsel), a \$4.5 million settlement for a New Jersey consumer class in *DeLima v. Exxon*, Docket No. HUD-L-8969-96 (Co-Lead Counsel), and an unprecedented settlement in a class action involving a merger, *Rubin v. Mercer Insurance Group, Inc., et al.*, Docket No. MER-C-102-10 (Co-Liaison Counsel), which afforded stockholders the opportunity to review forward looking financial information of the company, thus allowing shareholders to make a more informed decision concerning the merger.

A 1982 graduate of the Columbia University School of Law, Mr. Greenberg clerked for Justice Daniel J. O’Hern of the Supreme Court of New Jersey for the 1982-83 Term. Before joining the firm, Mr. Greenberg was a partner at one of New Jersey’s largest law firms.

Mr. Greenberg appears regularly in the appellate courts. He has argued twelve times in the Supreme Court of New Jersey, three cases in the Third Circuit Court of Appeals, and over 50 cases in New Jersey’s Appellate Division. Over 40 of his cases have resulted in published, precedential opinions, including major decisions on class actions, mass torts, zoning and land use, restrictive employment covenants, real estate brokerage, and other topics.

Among his many other publications, Mr. Greenberg is the author of the chapter entitled “Supreme Court Review” in *New Jersey Appellate Practice Handbook* (New Jersey ICLE), co-author, with Susana Cruz Hodge, of the chapter entitled “Class Action Litigation” in *New Jersey Federal Civil Procedure* (NJLJ Books (1st ed. 1999 and annual supplements)), and author of “Keeping the Flies Out of the Ointment: Restricting Objectors to Class Action Settlements,” 84 *St. John’s L. Rev.* 949 (2010). That and other law review articles that he has written have been cited with approval by the Supreme Court of New Jersey, the Appellate Division, and federal and state courts in other jurisdictions. Mr. Greenberg has lectured on class actions for both New Jersey and Pennsylvania CLE, and he delivered the 27th annual Evangelides Memorial Lecture



at Rutgers University's Eagleton Institute on the topic "Class Action Litigation: Who Benefits?" He has served as an expert witness on attorneys' fees in class actions and Chancery litigation. He has also spoken on civil trial preparation, appellate practice and other subjects. Mr. Greenberg also writes the New Jersey Appellate Law blog, <http://appellatelaw-nj.com>, New Jersey's foremost appellate blog, since 2010.

Mr. Greenberg belongs to the New Jersey State Bar Association and was Chair of the Association's Appellate Practice Committee from 2004-2006. He is a past Co-Chair of the NJSBA's Class Actions Committee, a position he held from 2008-2016. From 1991-2006, Mr. Greenberg was a member of the Supreme Court of New Jersey Committee on Character. He was also one of the founding members, and a past Chair, of the New Jersey Law Firm Group, a consortium of major law firms to advance hiring of minority lawyers.

Mr. Greenberg has been named to the "New Jersey Super Lawyers" list, for "Appellate Practice," in *New Jersey Monthly* magazine every year since 2005, when that list was first published, and has twice been named to the "New Jersey Super Lawyers" Top 100, most recently in 2020. Mr. Greenberg has been listed in "Best Lawyers in America®" in 2019 and 2020, for "Appellate Practice." He was also named to ALM's 2012 "New Jersey Top Rated Lawyers," listed under "Commercial Litigation." Mr. Greenberg has an "AV" rating from Martindale-Hubbell.

VICTOR A. AFANADOR (Newark Office) handles litigation and trials of civil and criminal cases. His experience includes public entity tort liability defense, employment related defense of CEPA and LAD matters, police related state and federal civil rights defense, condemnation and redevelopment law, complex commercial litigation, and criminal defense. In addition, Mr. Afanador served from September 1999 through May of 2005 as Deputy Director of



Law for the City of Perth Amboy. In that capacity, he provided counsel to the Mayor, the City Council, and City department directors on legal matters.

Mr. Afanador has successfully tried to verdict jury and bench trials in civil rights and redevelopment law matters. He has also tried public entity employee termination hearings before the Office of Administrative Law and numerous matters of many types in Municipal Court. He also litigated and managed the condemnation of sixteen properties in a single municipality.

In addition to his trial work, Mr. Afanador has argued before the Superior Court of New Jersey, Appellate Division. His published opinions include *Deegan v. Perth Amboy Redevelopment Agency*, 374 N.J. Super. 80 (App. Div. 2005). Mr. Afanador has also applied his investigative skills in the class action area. He interviewed Spanish-speaking employees and prepared a report for the Court as part of the firm's responsibilities as Class Administrator for an employment discrimination class action.

Mr. Afanador clerked for Judges Mathias E. Rodriguez and Frederick P. DeVesa, Superior Court of New Jersey, Law Division Criminal Part, in Middlesex County from 1998-1999.

Mr. Afanador was appointed by the Essex County Executive in September of 2005 to serve as a Commissioner on the Essex County Board of Public Utilities. He is a member of the New Jersey State Bar Association, The Association of the Federal Bar of the State of New Jersey, Seton Hall University School of Law Alumni Association, the Essex County Bar Association, and the Hispanic Bar Association of New Jersey. He is a 2003 Graduate of the Leadership Newark Fellowship Program and has served on the African Globe Theatreworks Board of Directors, a professional theater company based in Newark, New Jersey.



Mr. Afanador was designated a Rising Star in the May 2006, May 2007, May 2008, May 2009, May 2010, May 2011, May 2012, and May 2013 issues of *New Jersey Monthly* magazine. He was also named to the “40 Under 40” issue by the New Jersey Law Journal in 2010.

SUSANA CRUZ HODGE (Newark Office) is a member of Lite DePalma Greenberg, LLC and focuses her practice on appeals and complex commercial litigation, including class actions. Her primary focus is on product liability and consumer fraud cases. Ms. Hodge has participated in numerous consumer cases, including *Cole v. NIBCO, Inc.*, No. 13-CV-07871 (D.N.J.), a case involving defective plumbing piping, tubing and fixtures that resulted in a nationwide consumer settlement worth \$44 million; *Schwartz v. Avis Rent a Car System, LLC*, No. 11-4052 (D.N.J.), a case involving fraudulent fee charges that resulted in a nationwide consumer settlement worth up to \$13 million; and *In re Shop-Vac Marketing and Sales Practices Litig.*, No. 4:12-MD-2380 (M.D. Pa.), a case involving misrepresentation of the peak horsepower of wet/dry vacuums that resulted in a nationwide settlement fund valued at \$174,250,000 million.

Currently, Ms. Hodge is actively involved in representing plaintiffs in several consumer class actions, including: *Mendez v. Avis Budget Group, Inc.*, No. 11-cv-6537 (D.N.J.), *Reitman v. Champion PetFoods USA*, No. 2:18-cv-01736 (C.D. Cal), *In Re: Big Heart Pet Brands Litigation*, No. 4:18-cv-00861 (N.D. Cal.); *Zeiger v. WellPet LLC*, No. 3:17-cv-04056 (N.D. Cal.), *Grossman v. Schell & Kampeter, Inc.*, No. 2:18-cv-02344 (E.D. Cal.), *Afzal v. BMW of North America, LLC*, No. 15-8009 (D.N.J.), and *Urena v. BMW of North America LLC*, No. L-4875-18 (N.J. Super. Ct.).

Ms. Hodge also represents individual parties in general business disputes arising from breach of contract and fraud, as well as employment-related issues. She has briefed and argued before the United States Court of Appeals for the Seventh Circuit, the U.S. District Court for the



District of New Jersey, and the New Jersey Superior Court. Ms. Hodge has also participated in successful appeals to the United States Court of Appeals for the Third Circuit and to the Appellate Division of the New Jersey Superior Court involving constitutional and employment law, rent control, and commercial leasing issues.

Ms. Hodge was one of the first attorneys in New Jersey to handle pro bono appeals in the New Jersey Appellate Division's Pro Bono Civil Pilot Program and has participated in several pro bono matters. Most recently, Ms. Hodge represented an individual in an emergency application to the New Jersey Appellate Division, which led to the client avoiding eviction, and secured a dismissal of a temporary restraining order in another matter that would have imposed automatic prison time for her client.

Ms. Hodge is co-author, with Bruce D. Greenberg, of the chapter entitled "Class Action Litigation" in *New Jersey Federal Civil Procedure*, and has been a panelist in various seminars such as "Significant Developments in Class Actions," hosted yearly by the New Jersey Institute for Continuing Legal Education, and "The Evolving Nature of Class Actions," hosted by New Jersey State Bar Association.

Ms. Hodge is a graduate of Boston College (2001) and Boston College Law School (2005). Prior to joining private practice, Ms. Hodge clerked for the Hon. Thomas J. LaConte, Superior Court of New Jersey, Passaic County. She also taught Legal Writing at Seton Hall University Law School to first year law students prior to joining Lite DePalma Greenberg, LLC. Prior to attending law school, Ms. Hodge taught Portuguese, English, and math to young students in Rio de Janeiro, Brazil, as part of Projeto Unicom Rocinha, a Brazilian non-profit organization. Ms. Hodge has been named as a "Rising Star" in *New Jersey Monthly* magazine every year since 2014.



COUNSEL

STEVEN J. GREENFOGEL (Philadelphia Office) is Counsel to the firm and is resident in the firm's Philadelphia office. Throughout his nearly 45 year legal career, Mr. Greenfogel has specialized in class action antitrust litigation, including many of the most significant multidistrict class action price fixing cases of modern times. He has served as Co-Lead Counsel in *In re Chain Link Antitrust Litigation*, Master File CLF-1 (D.Md); *In re Industrial Silicon Antitrust Litigation*, 95-2104 (W.D.Pa) (which he tried to verdict), *In re Isostatic Graphite Antitrust Litigation*, No. 2000-cv-4965 (E.D.Pa); and *Gordon v. Amadeus IT Group, S.A.*, 15-cv-03457-KPF (S.D.N.Y.). Mr. Greenfogel also served as one of the main trial counsel as well as co-chairman discovery LDG in *In re High Pressure Laminates Antitrust Litigation*, No. 00-MD-1368(CLB) (S.D.N.Y.) (which was tried to verdict) and *In re Carbon Dioxide Antitrust Litigation*, MDL 940 (M.D. Fla) (which settled after jury selection). In addition to being Co-Chairman of Discovery in *In re Infant Formula Antitrust Litigation*, Master File No. MDL 878 (N.D. Fla), Mr. Greenfogel served as one of plaintiff's trial counsel (which settled after jury selection). He has served as a member of Plaintiffs' Executive Committee in numerous cases, including, *inter alia*, *In re Municipal Derivatives Antitrust Litigation*, MDL 1950 (S.D.N.Y. 2008), *In re Static Random Access Memory (SRAM) Antitrust Litigation*, cv-1819 (N.D. Cal 2007) and *In re Publication Paper Antitrust Litigation*, MDL 1631 (D. Ct 2004). Mr. Greenfogel has also played a major role in numerous other multidistrict antitrust class actions, including, *inter alia*, *O'Bannon v. National Collegiate Athletic Ass'n, et al.* cv-091967 cw (N.D. Cal 2009) (A Member of Plaintiff's Trial Team and Co-chairman Discovery); *In re TFT-LCD (Flat Panel) Antitrust Litigation*, MDL 1827 (N.D. Cal 2006); *In re Direct Random Access Memory (DRAM) Antitrust Litigation*, No. 02-cv-01486-OHG (N.D. Cal 2002); *In re NASDAQ*



Market Makers Antitrust Litigation, MDL 1023 (S.D.N.Y.) (Chairman of Discovery); *In re Brand Names Prescription Drugs Antitrust Litigation*, MDL 997 (N.D. Ill.); *In re Commercial Tissue Antitrust Litigation*, MDL 1189 (N.D. Fla); *In re Infant Formula Antitrust Litigation*, Master File No. MDL 878 (N.D. Fla); *Cumberland Farms v. Browning Ferris Industries, Inc.*, A.A. No. 87-3717; *Superior Beverage/Glass Container Antitrust Litigation*, 89 C 5251 (N.D. Ill.); *In re Chlorine and Caustic Soda Antitrust Litigation*, 86-5428 (E.D.Pa); *In re Records and Tapes Antitrust Litigation* (N.D.Ill.); and *In re Broiler Chicken Antitrust Litigation* (N.D.Ga).

Earlier in his career from 1977 to 1980, Mr. Greenfogel served as an Assistant Attorney General in the Commonwealth of Massachusetts and was the first Chief of its Antitrust Division. He was the author of the Commonwealth's Antitrust Law (M.G.L. 93). During that time, he was a panelist at the New England Antitrust Conference in Boston as well as speaking on antitrust matters at various venues in Massachusetts.

Mr. Greenfogel served as a member of the Board of Trustees of Camden County College from 2000 through 2017, having been appointed to that position by Governors Whitman, McGreevy and Corzine. He has been selected fourteen times as one of the Top Attorneys in Pennsylvania by *Philadelphia Magazine* and has an "AV" rating from Martindale Hubbell.

MINDEE J. REUBEN (Philadelphia Office) is Counsel to the firm and is resident in the firm's Philadelphia office. Ms. Reuben represents plaintiffs across the country in a broad range of antitrust and consumer class action matters, regularly serving as lead, co-lead and liaison counsel and as a member of case-management committees in high-profile, multi-jurisdictional litigation. *Super Lawyers* and *Philadelphia Magazine* have repeatedly named Ms. Reuben as one of Pennsylvania's top lawyers in the field of antitrust, as well as one of the top 50 Women Super



Lawyers overall in the state. Mindee has also been named in the 25th and 26th Editions of *The Best Lawyers in America*© for her work in Antitrust Law and Litigation – Antitrust.

Ms. Reuben is currently involved in several plaintiff class action antitrust matters, including *In re: Processed Eggs Products Antitrust Litigation*, No. 08-md-2002 (E.D. Pa.), in which she is co-lead and liaison counsel, and the court has approved over \$130 million in settlements. She is also a member of the steering committee and has oversight of the document review in *In re: Generic Pharmaceutical Pricing Antitrust Litigation*, No. 16-md-2724 (E.D. Pa.), a member of the trial plan committee in *In re Blue Cross Blue Shield Antitrust Litigation* (Subscribers), No. 13-cv-20000 (N.D. Ala.), and a member of the deposition team in *In re Broiler Chicken Antitrust Litigation* (Direct Purchasers), No. 18-cv-8637 (N.D. Ill.). Other recent cases on which she has had a case management role include *In re: Lithium Ion Batteries Antitrust Litigation*, No. 13-md-2420 (N.D. Cal.) (steering committee), *Gordon v. Amadeus IT Group, S.A.*, No. 15-cv-5457 (S.D.N.Y.) (co-lead counsel), and *In re: Polyurethane Foam Antitrust Litigation*, MDL No. 2196 (N.D. Ohio) (executive committee), where the court approved over \$147,000,000 in settlements. She is presently active in a number of other antitrust matters around the country as well, including *In re Aluminum Sulfate Antitrust Litigation*, No. 16-md-2687 (D.N.J.) and *In re Broiler Chicken Antitrust Litigation*, No. 16-8637 (N.D. Ill.).

Ms. Reuben's significant past antitrust matters include *BP Products North America, Inc. Antitrust Litigation* (N.D. Ill.) (\$52 million settlement), *In re: Polyester Staple Antitrust Litigation* (W.D.N.C.) (\$50 million settlement), *In re: Electrical Carbon Products Antitrust Litigation* (D.N.J.) (\$21.9 million settlement), and *In re Flonase Antitrust Litigation* (E.D. Pa.) (confidential settlement on behalf of generic competitor).



Ms. Reuben also served as class counsel in the consumer class action of *Fritzinger v. Angie's List*, Case No. 12-cv-1118 (S.D. Ind.), and as co-lead counsel in *Stone v. Stewart Title Guaranty Co.*, Philadelphia Court of Common Pleas, June Term, 2006, No. 2003 (consol. under *Cummings v. Stewart Title Guaranty Co., et al.*, Philadelphia Court of Common Pleas, March Term, 2005, No. 747) (Glazer, J.), both of which resulted in favorable settlements for the class. At the final approval hearing, the court noted that “counsel really did an extraordinary job.”

Ms. Reuben is actively involved with the Philadelphia Bar Association, historically having served as Vice Chair of the Association’s Bench Bar and Annual Meeting and as Chair of its Women’s Rights Committee. Her work on the Women’s Rights Committee focused on human trafficking in the United States and resulted in the Association’s Board of Governors passing a Resolution in Support of Ratification of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). She is also a member of the Federal Courts Committee, Women in the Profession Committee and Business Law Section.

Ms. Reuben is a founding member of Women Antitrust Plaintiffs’ Attorneys, a national organization of women who focus their practices on cartel and other anticompetitive cases. She has been appointed to serve in the Leadership of the Antitrust Law Section during 2019-2020 as a Member of the Competition/Consumer Protection Policy and North American Comments Task Force, and is co-authoring a chapter in the ABA’s *Antitrust Daubert Handbook*. Ms. Reuben is also a Lecturer in Law in the area of legal writing for the LL.M. program at the University of Pennsylvania School of Law. She previously served as an Adjunct Professor of Law at the James E. Beasley School of Law of Temple University.

Ms. Reuben has contributed to numerous comprehensive legal publications, and has spoken on a variety of subjects, including ethics and the Federal Rules of Civil Procedure. Most



recently, Mindee was a panelist for the ABA Civil Practice and Procedure Section of Antitrust Law speaking on “Antitrust Class Action Program Series: Class Action Killer or Business as Usual? -- Rule 23(b)(3) and the Predominance Requirement” and a panelist for the ABA Section of Litigation’s “Rules Roadshow,” on the topic “Precision Advocacy: Reinventing Motion Practice to Win” in Philadelphia.

After earning her joint law and master of public administration degrees from the University of Pittsburgh, Ms. Reuben served as a law clerk for the Honorable Frank J. Montemuro, Senior Justice of the Supreme Court of Pennsylvania.

STEVEN S. GLICKMAN (Newark Office) is Counsel to the Firm and is a resident in the Firm’s Newark Office. Steven S. Glickman represents public and private sector employers throughout the State of New Jersey in a broad range of labor and employment, education and municipal law matters. Steven works with clients to ensure compliance with federal and state regulations, develop and implement union avoidance and labor relations strategies, negotiate and document individual employment contracts and collective bargaining agreements, and create and maintain effective employment policies and employee handbooks.

Steven is also an accomplished litigator, and has represented clients at trial, in settlement negotiations and in arbitration. He has successfully advised clients in a broad range of matters, including employment and labor disputes, and law enforcement investigations.

JEREMY NASH (Newark Office) is Counsel to the firm and is resident in the firm’s Newark Office. During his career, Mr. Nash has represented millions of plaintiffs in a range of consumer-oriented class actions around the United States. Currently, Mr. Nash represents over 10 million people in *Mendez v. Avis Budget Group, Inc.*, No. 11-cv-6537 (D.N.J.), a consumer fraud class action pending in New Jersey federal court, and hundreds of thousands of people in



Bakov v. Holiday Cruise Line, No. 15-cv-2980 (N.D. Ill.), a robocall class action pending in Illinois federal court. Mr. Nash has also prosecuted a number of data breach and privacy class actions, including *In re: American Medical Collection Agency, Inc. Customer Data Security Breach Litigation*, No. 19-md-2904 (D.N.J.), *Gullen v. Facebook*, No. 15-cv-07681 (N.D. Ill.), *Norberg v. Shutterfly, Inc., et al*, No. 15-cv-5351 (N.D. Ill.), *Lewert v. P.F. Chang's China Bistro, Inc.*, No. 14-cv-4787 (N.D. Ill.), *Whalen v. Michaels Stores, Inc.*, No. 14-cv-7006 (E.D.N.Y.), and *In re: Horizon Healthcare Services Inc. Data Breach Litig.*, No. 13-cv-7418 (D.N.J.).

Mr. Nash's experiences as a securities and cryptocurrency class action attorney are also noteworthy. He was a member of lead counsel's trial team in *In re Vivendi Universal, S.A. Securities Litig.*, No. 02-cv-5571 (S.D.N.Y.), one of only a handful of securities fraud cases tried to a favorable jury verdict in the last 20 years. Mr. Nash also represented plaintiffs in *In re Tezos Securities Litig., No.*, 17-cv-6779 (N.D. Cal.), in which plaintiffs alleged that the Tezos initial coin offering (Tezos ICO), which raised the equivalent of hundreds of millions of dollars, was an illegal securities offering under U.S. law. Though not a securities class action, Mr. Nash also represented the plaintiffs in *Faasse v. Coinbase, Inc.*, No. 18-cv-1382 (N.D. Cal.), in which plaintiffs allege that, in violation of California state and common law, Coinbase wrongfully kept for itself bitcoin and other cryptocurrencies that its users transferred to non-coinbase users.

In addition to seeing cases through to trial, Mr. Nash is accumulating successes as an appellate attorney. He recently prevailed on an appeal to the Seventh Circuit asking that a product liability claim against Danze, Inc., which manufactures plumbing parts, be reinstated. *Duncan Place Owners Association v. Danze, Inc.*, No. 17-3474 (7th Cir. Jun. 16, 2019). In *Vivendi*, he helped secure the Second Circuit's affirmance of the jury verdict, an "inflation



maintenance” theory of loss causation, and other important trial court rulings. *In re Vivendi, S.A. Sec. Litig.*, 838 F.3d 223 (2d Cir. 2016). Several years earlier, after blocking Toyota Motor Corporation’s effort to force his client into arbitration at the trial court level, Mr. Nash played a central role in obtaining an order from the Ninth Circuit affirming his client’s right to sue over her defective vehicle in court. *Kramer v. Toyota Motor Corp.*, 705 F. 3d 1122 (9th Cir. 2013).

Mr. Nash also has a growing New Jersey local counsel practice involving cases that present unique procedural challenges. In *State of Minnesota v. Sanofi Aventis*, No. 18-cv-14999 (D.N.J.), for instance, Minnesota was prepared to allege that several drug manufacturers located in New Jersey acted improperly to increase the cost of insulin products in violation of Minnesota law and the Racketeer Influenced and Corrupt Organizations Act. The State’s complaint, however, would contain the confidential results of its pre-litigation investigation and could not be filed publicly. Jeremy was appointed a Special Attorney of the State to, among other things, help it navigate New Jersey local practice in order to file the complaint under seal and to negotiate a protective order with the defendants to govern access to the sealed complaint.

Besides class actions, Mr. Nash represents institutional clients in high-stakes commercial litigation. He currently represents, as just one example, an apartment complex in a defective product and breach of warranty case against a major plumbing parts manufacturer in *Stanford Realty, LLC v. Zurn PEX, Inc.*, No. 18-cv-15188 (D.N.J.).

Mr. Nash is a graduate of the University of California at San Diego (2003) and New York Law School (2006). He is a member of the bars of the states of New Jersey and New York. Mr. Nash is also a member of the Association of the Federal Bar of New Jersey and speaks on topics related to class litigation for continuing legal education (CLE) programs. He was a panelist



recently for a CLE program entitled, “Summary Judgment in Class Action Litigation: Plaintiff and Defense Strategies for Filing Motions.”

ASSOCIATES

JONATHAN M. CARRILLO (Newark Office), was born in Jersey City, New Jersey on March 30, 1988. Admitted to the bar 2012, New Jersey. Education: Saint Peter’s University (B.A. in Political Science and Philosophy 2009) and Rutgers School of Law (J.D. 2012). Jonathan’s practice includes: public entity representation, employment litigation, criminal litigation, class actions and complex commercial litigation.

FRANCIS A. KENNY (Newark Office), was born in Manhattan, New York on August 28, 1987. Admitted to the bar 2015, New Jersey. Education: St. Joseph’s University (B.A. in Political Science 2009) and Seton Hall University School of Law (J.D. 2015). Francis’ practice includes: public entity representation, employment litigation, class actions and complex commercial litigation.

CATHERINE B. DERENZE (Newark Office), was born in Mineola, New York on April 30, 1991. Admitted to the bar in 2018, New Jersey. Education: College of the Holy Cross (B.A. in Political Science 2013) and Seton Hall University School of Law (J.D. 2018). Catherine’s practice is class action litigation.

STEFAN J. ERWIN (Newark Office), is an Associate with the firm in our Newark office. He has been admitted to the bar in New York, New Jersey and the United States District Court for the District of New Jersey. He went to Rutgers University, where he graduated with two Bachelors of the Arts degrees in Political Science and Criminal Justice. Stefan began his



legal career at Rutgers Law School. There, he was accepted as a fellow with the Marshall-Brennan Constitutional Literacy Project. He integrated himself in the local community by creating a community gardening initiative whose purpose was to assist low income residents in Camden, New Jersey. This initiative was recognized by National Jurist Magazine in 2011. He also interned with Hon. Noel L. Hillman of the United States District Court for the District of New Jersey. He graduated in 2012.

Upon graduation, Stefan clerked with the Hon. Judge James Hely in the Superior Court of New Jersey, Law Division. While working in the Judiciary he became a court appointed mediator. He then transitioned to the Public Defender's office, where he was assigned to the Special Hearings Unit as a managing attorney. There, he was one of four attorneys, acting state-wide, engaged in representing low-income individuals in post-conviction civil proceedings, often of state-wide importance. The unit, with an emphasis on vertical defense, focused on representing clients from case inception through all levels of court including appellate, agency, and parole board practice. He gave presentations to public, private and law enforcement agencies on Megan's Law. Notably he has contributed to the following: *In Re Registrant A.D.*, 227 N.J. 626 (2015) (meaning of Megan's Law termination statute), *J.B. v. Parole Board*, 229 N.J. 21 (2017) (use of polygraph in parole board violations); *In the Matter of G.H.*, 455 N.J. Super 515 (App. Div. 2018) aff'd by 240 N.J. 113 (2019) (retroactive application of amended statute).

Later, he transferred to the Monmouth County Trial Unit, where he engaged in criminal defense for individuals charged with serious felonies. He has represented individuals from arrest through appeal. He has significant experience with a variety of crimes including but not limited to attempted murder, aggravated assault, white collar crime, sexual assault, child pornography,



arson, theft, distribution, possession and violations of probation. Never afraid to file a motion or interlocutory appeal, Mr. Erwin is proficient in creating records in pre-trial proceedings and regularly contests searches, statements and indictments often leading to successful outcomes pretrial, including dismissal. At trial, Mr. Erwin is an emotional and moving orator whose passionate arguments have swayed the jury in a variety of cases.

To compliment his love of the law is his love of public service. Mr. Erwin is a sitting Board Member on the Union County Board of Health. He volunteers as a county election lawyer, securing the disenfranchised their right to vote on election day. He attends the Heckel Inn of Court, a professional organization focused on civility and excellence in trial courts. Mr. Erwin's wide variety of practical experience spanning civil and criminal practice uniquely enables him to handle your novel issues efficiently and effectively.

In re Tezos Securities Litigation
Time and Billing by Category
Inception through July 24, 2020
Lite DePalma Greenberg, LLC

Timekeeper	Position	A	B	C	D	E	F	G	H	I	J	Total	Hourly Rate	Lodestar
Joseph J. DePalma	Partner	43.3	1.7	40.0	36.4	21.0	32.9	18.7	0.2	47.6	4.3	246.1	\$ 800	\$ 196,880
Bruce D. Greenberg	Partner	16.2	1.7	2.3	8.0	3.1	9.8	2.0		2.5	0.5	46.1	\$ 800	\$ 36,880
Steven J. Greenfogel	Counsel			0.3				38.3				38.6	\$ 850	\$ 32,810
Jeremy N. Nash	Counsel	24.4	2.8	49.3	42.2	63.4	114.8	21.3	4.1	24.7		347.0	\$ 675	\$ 234,225
Michael R. Darbee	Associate					0.3	9.8					10.1	\$ 525	\$ 5,303
Heather Sertial	Associate	24.1										24.1	\$ 525	\$ 12,653
Jonathan M. Carrillo	Associate					4.8						4.8	\$ 425	\$ 2,040
Francis A. Kenny	Associate							3.7				3.7	\$ 375	\$ 1,388
Amanda M. Cunha	Clerk	5.7				0.6	0.8	18.3				25.4	\$ 225	\$ 5,715
Newton Portorreal	Clerk		0.7	32.3	5.9	26.6	1.7					67.2	\$ 200	\$ 13,440
Elvira Palomino	Paralegal		0.6									0.6	\$ 250	\$ 150
Eric Henley	Paralegal	1.4	2.1		2.2				5.0			10.7	\$ 250	\$ 2,675
Grand Totals		115.1	9.6	124.2	94.7	119.8	169.8	102.3	9.3	74.8	4.8	824.4		\$ 544,158
% of Total Hours		14.0%	1.2%	15.1%	11.5%	14.5%	20.6%	12.4%	1.1%	9.1%	0.6%			
Lodestar		\$ 78,355	\$ 5,425	\$ 73,833	\$ 65,735	\$ 69,728	\$ 117,315	\$ 68,998	\$ 4,178	\$ 56,753	\$ 3,840			
% of Lodestar		14.4%	1.0%	13.6%	12.1%	12.8%	21.6%	12.7%	0.8%	10.4%	0.7%			

Category Key	
A	Investigation, Research, Complaints
B	TRO / Preliminary Injunction / Service
C	Leadership / Intervention Motions
D	Case Management, Client Updates
E	Ongoing Research
F	Non-Discovery Motions and Briefing
G	Discovery Negotiations, Disputes, Briefing
H	Discovery / Document Review
I	Settlement Negotiations
J	Settlement Approval, Class Member Communications