

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE JPMORGAN PRECIOUS METALS
SPOOFING LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

Case No.: 1:18-cv-10356

Hon. Gregory H. Woods

**DECLARATION OF DANIEL C. GIRARD ON BEHALF OF GIRARD SHARP LLP
IN SUPPORT OF CLASS COUNSEL’S MOTION FOR AWARD OF
ATTORNEYS’ FEES AND PAYMENT OF EXPENSES**

I, Daniel C. Girard, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am the managing partner of the law firm Girard Sharp LLP (“Girard Sharp”). I respectfully submit this declaration in support of Class Counsel’s¹ Motion for an Award of Attorneys’ Fees and Payment of Expenses in connection with services rendered in the above-captioned action (“Action”).

2. The statements herein are true to the best of my personal knowledge, information and belief based on Girard Sharp’s books and records, and information received from its attorneys and staff. Girard Sharp’s time and expense records are prepared and maintained in the ordinary course of business.

3. Girard Sharp serves as additional Plaintiffs’ counsel for Plaintiffs in this Action, including Dominick Cognata, Melissinos Trading, LLC, Casey Sterk, Kevin Maher, Kenneth Ryan, Robert Charles Class A, L.P., Robert L. Teel, Mark Serri, Yuri Alishaev, Abraham Jeremias, and Morris Jeremias (“Class Plaintiffs”).

4. Girard Sharp jointly serves with Stephan Zouras, LLP as counsel for Plaintiff Kenneth Ryan, and, consistent with the Rules of Professional Conduct (22 N.Y.C.R.R. § 1200.0), Rule 1.5(g), their joint representation agreement requires Girard Sharp to pay Stephan Zouras 10%-15% of Girard Sharp’s share of any attorneys’ fees awarded by the Court. This fee-sharing arrangement was approved by Plaintiff Ryan and does not impact the amount of attorneys’ fees to be sought or limit the benefits accruing to the Settlement Class from the Settlement.

5. I oversaw my firm’s involvement in the Action. Girard Sharp’s time and expense records (including, where necessary, backup documentation) have been reviewed to confirm both

¹ On December 20, 2021, the Court appointed Lowey Dannenberg, P.C. as “Class Counsel” in this action. ECF No. 91 at ¶ 4.

the accuracy of the entries as well as the necessity for and reasonableness of the time and expenses expended in this litigation. As a result of this review, certain reductions were made to both time and expenses either in the exercise of billing judgment, directions from Class Counsel and/or my firm's practice. Accordingly, the time reflected in Girard Sharp's lodestar calculation and the expenses for which payment is sought are reasonable in amount and were necessary to prosecute the Action and resolve the settlement before the Court.

6. During the course of this litigation, and as detailed herein, Girard Sharp worked on assignments that it was specifically directed to perform by Class Counsel.

7. Set forth below in ¶ 9 is a summary reflecting the amount of time (after any applicable reductions) that Girard Sharp attorneys and professional staff worked on the Action from the inception of the case through December 20, 2021, and the corresponding lodestar value of that work. The schedule in ¶ 9 was prepared based upon daily time records maintained by Girard Sharp attorneys and professional support staff in the ordinary course of business, and the lodestar calculations are based on the firm's current hourly billing rates.

8. The services Girard Sharp performed on behalf of Class Plaintiffs and the putative class include, but are not limited to, the following:

- Investigating the facts, including through a Freedom of Information Act request, and preparing pleadings;
- Gathering relevant documents and data from Plaintiff Kenneth Ryan;
- Interviewing potential testifying and consulting experts;
- Reviewing and analyzing documents produced by JPMorgan Chase & Co.;
- Advising Class Counsel on litigation and settlement strategy;
- Participating in meetings with Class Counsel and other Plaintiffs' counsel;

- Drafting portions of Plaintiffs’ mediation statement;
- Analyzing JPMorgan Chase & Co’s mediation statement and providing related advice to Class Counsel; and
- Analyzing, commenting on, and editing settlement documentation at the request of Class Counsel.

9. Girard Sharp’s total fee compensable time for which it seeks an award of attorneys’ fees is summarized below.

Attorneys	Role ²	Rate	Hours from inception to 12/20/2021	Lodestar from inception to 12/20/2021
Daniel C. Girard	P	\$ 1,025.00	55.80	\$ 57,195.00
Jordan Elias	P	\$ 775.00	59.90	\$ 46,422.50
Adam E. Polk	P	\$ 700.00	17.50	\$ 12,250.00
James Richardson	A	\$ 575.00	61.60	\$ 35,420.00
Erika Garcia	SA	\$ 400.00	193.10	\$ 77,240.00
Estela Barajas	LC	\$ 200.00	152.80	\$ 30,560.00
TOTALS			540.70	\$ 259,087.50

10. The total time for which my firm is requesting an award of legal fees is 540.70 hours. The total lodestar value of these professional services is \$259,087.50.

11. The above hourly rates for Girard Sharp’s attorneys and professional support staff are the firm’s current hourly rates, except for document review work, which has been capped at \$400 per hour. The hourly rates for attorneys and professional support staff at my firm are the same as the regular rates charged for their services in contingent and non-contingent fee matters. Timekeepers with fewer than 10 hours were excluded. For personnel no longer employed by Girard Sharp, the lodestar calculation is based on the billing rates for such personnel in his or her

² “P” refers to Partners. “A” refers to Associates. “SA” refers to Staff Attorneys. “LC” refers to Law Clerks.

final year of employment. The time and lodestar spent preparing the Fee and Expense Application were also excluded from the above values.

12. The firm's lodestar figures do not include charges for expense items. Expense items are billed separately, and such charges are not duplicated in the firm's current billing rates. Further, expense items do not contain any general overhead costs and do not contain a surcharge over the amount paid to the corresponding vendor(s).

13. As detailed and categorized in the below schedule, Girard Sharp has incurred a total of \$2,501.32 in expenses from inception through December 20, 2021 for which the firm seeks to be reimbursed from the Settlement Fund.

Expense Categories	Cumulative Expenses
Court Costs	\$200.00
Computer Research	\$603.42
Travel	\$1,008.73
Photocopies - in House	\$137.10
Postage	\$0.97
Service of Process	\$464.10
Messenger/delivery	\$87.00
TOTAL	\$2,501.32

14. The above schedule was prepared based upon expense records reflected in the books and records of Girard Sharp. These books and records are prepared from expense vouchers, check records, receipts, and other source materials and are an accurate record of the expenses incurred. The expense total does not include the contribution Girard Sharp made to the litigation fund established by Class Counsel to fund various litigation expenses.

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

Executed on May 6, 2022
San Francisco, CA

Daniel C. Girard