

1 **BURSOR & FISHER, P.A.**  
L. Timothy Fisher (State Bar No. 191626)  
2 1990 North California Boulevard, Suite 940  
Walnut Creek, CA 94596  
3 Telephone: (925) 300-4455  
Facsimile: (925) 407-2700  
4 E-Mail: ltfisher@bursor.com

**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego  
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By Carolina Miranda, Deputy Clerk

5 **BURSOR & FISHER, P.A.**  
Scott A. Bursor (State Bar No. 276006)  
6 2665 S. Bayshore Dr., Suite 220  
Miami, FL 33133-5402  
7 Telephone: (305) 330-5512  
Facsimile: (305) 676-9006  
8 E-Mail: scott@bursor.com

9 **NICHOLAS & TOMASEVIC, LLP**  
Alex M. Tomasevic (State Bar No. 245598)  
10 Craig M. Nicholas (State Bar No. 178444)  
225 Broadway, 19th Floor  
11 San Diego, CA 92101  
Telephone: (619) 325-0492  
12 Facsimile: (619) 325-0496  
E-Mail: cnicholas@nicholaslaw.org  
13 atomasevic@nicholaslaw.org

14 *Class Counsel*

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
16 **IN AND FOR THE COUNTY OF SAN DIEGO**

17 DEMARIE FERNANDEZ, ALFONSO  
18 MENDOZA, and FRED DURAN, on behalf of  
themselves and those similarly situated,

19 Plaintiffs,

20 v.

21 OBESITY RESEARCH INSTITUTE,  
22 LLC; CONTINUITY PRODUCTS, LLC;  
HENNY DEN UIJL; SANDRA DEN  
23 UIJL; WEST COAST LABORATORIES,  
INC.; and DOES 13 through 100, inclusive,

24 Defendants.

Case No. 37-2013-00048664-CU-BT-CTL

**DECLARATION OF CRAIG M.  
NICHOLAS IN SUPPORT OF  
PLAINTIFFS' (1) MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT AND (2) MOTION FOR  
ATTORNEYS' FEES, REIMBURSEMENT  
OF COSTS AND EXPENSES, AND  
INCENTIVE AWARDS FOR THE CLASS  
REPRESENTATIVES**

Date: February 7, 2020  
Time: 10:30 a.m.  
Dept: SD-64  
Judge: Hon. John S. Meyer

Complaint Filed: May 14, 2013  
Remittitur Filed: September 16, 2016  
FAC Filed: February 23, 2017

1 I, Craig M. Nicholas, declare as follows:

2 1. I am an attorney at law duly licensed to practice before all of the Superior Courts  
3 of the State of California; the United States District Courts for the Eastern, Central, Southern,  
4 and Northern Districts of California; the Ninth Circuit Court of Appeals; and the United States  
5 Supreme Court. I am the founding partner with the law firm of Nicholas & Tomasevic, LLP  
6 (“N&T”), formally Nicholas & Butler, LLP, and counsel of record for plaintiffs.

7 2. I have personal knowledge of the facts contained in this declaration and can testify  
8 competently thereto if called as a witness.

9 3. The settlement allows for Class Counsel to seek reimbursement of fees and costs.  
10 The Court has preliminarily approved a request for up to \$1.4 million to be paid by Defendants to  
11 reimburse our fees and costs. This figure was negotiated separately from the money to be paid to  
12 the class and will not affect how much the class ultimately receives under this settlement.

13 4. In this case, the negotiated request for \$ 1.4 million in fees, inclusive of costs,  
14 actually represents less than Class Counsel’s actual lodestar, i.e., represents a *negative* multiplier  
15 on the total lodestar.

16 5. The hours expended and the rates charged by co-counsel at Bursor & Fisher, P.A.  
17 – which total over \$1.4 million *by themselves* - are outlined in the concurrently-filed declaration  
18 of L. Timothy Fisher, Esq. But in addition, Nicholas & Tomasevic separately devoted over 947  
19 hours to prosecute this case and incurred over \$296,000 in attorneys’ fees and costs, risking that  
20 none of this expenditure could be recouped.<sup>1</sup> Class Counsel subjected themselves to this risk in  
21 this all or nothing contingent fee case wherein the necessity and financial burden of private  
22 enforcement makes the requested award appropriate. In addition, Class Counsel also advanced  
23 litigation costs in connection with the action and assumed the risk of non-payment of these  
24 amounts. N&T is a small law firm. N&T had to forego well-compensated work on other cases  
25 so as to devote the necessary time and resources to this case. This litigation precluded other  
26 lucrative employment which warrants approval of the attorneys’ fees.

27 \_\_\_\_\_  
28 <sup>1</sup> These hours do not include all of the time preparing this motion, preparing for the hearing on  
this motion, or attending this motion hearing.

1           6.       Furthermore, only time and expenses incurred to the benefit of the Class and that  
2 advanced the claims resolved in the settlement have been included in our time presented and costs  
3 submitted. Billers were instructed to be efficient with their time and to record only the time and  
4 expenses that advanced the settled claims. Regular meetings and calls were held with me and  
5 senior members of Class Counsel in order to efficiently delegate work, monitor work, and to avoid  
6 duplication or other inefficiencies.

7           7.       Written billing records and data by my attorneys and support staff – totaling over  
8 160 pages - were maintained and updated for this case, as were records of any reimbursable costs  
9 or expenses incurred. I am familiar with and have reviewed these records.

10          8.       The total combined fee lodestar in this case is at least \$287,432 for Nicholas &  
11 Tomasevic alone. Before the appeal of the first settlement in this matter, Nicholas & Tomasevic  
12 had incurred \$173,649.15 in fees and costs, which it has already described in detail to the court as  
13 part of Plaintiff Fred Duran’s previous (granted) motion for attorney’s fees and costs.<sup>2</sup> Since the  
14 remand back to this trial court, Nicholas & Tomasevic incurred an additional \$113,783.

15          9.       The total number of hours worked can be and were broken down into categories, as  
16 follows: investigating the facts and law upon which the case was based (98.6 hours billed);  
17 drafting or assisting in the drafting of the Complaint and the several Amended Complaints (78.8  
18 hours billed); drafting and responding to motions which occurred over the life of the case  
19 including multiple Demurrers, Motions to Strike, Motions to Amend Pleadings, Motions to  
20 Intervene, Ex Parte Applications, and Motions for Class certification (388.5 hours billed);  
21 responding and propounding discovery, review and analysis of documents produced, and  
22 depositions (325.5 hours); preparation for and participation in mediation and settlement  
23 discussions with the Defendants (28.8 hours billed); and drafting settlement documents and class  
24 notices (27.1 hours billed).

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25 <sup>2</sup> This figure, and supporting billing records, were provided to the court during Plaintiff Fred  
26 Duran’s first motion for attorneys’ fees, which was granted in 2015, i.e., before the appeal.  
27 *See* ROA Nos. 143-147. Of course, Mr. Duran and his counsel spent considerable time  
28 defending the appeal, but they are not adding or including that time here for purposes of this  
request. For Nicholas & Tomasevic’s part, Plaintiffs are only re-submitting the pre-appeal  
time and expenses (the \$173,649.15) plus the time spent litigating in the trial court after the  
appeal was decided and the case was remanded, through documentation of the settlement.

1           10.     Since the remand, the hourly rates for partners at N&T performing the work were  
2 \$550 per hour for partner Alex Tomasevic (13 years of experience); \$650 for partner Craig  
3 Nicholas (24 years). The hourly rate for Associate Shaun Markley (6 years of experience) was  
4 \$350 per hour.<sup>3</sup> The hourly rate for our paralegals was \$195. These are the customary billing  
5 rates of the lawyers and support staff, reflecting their experience and the economies of their law  
6 practice in the San Diego market. Furthermore, our fees, including these rates, were recently  
7 approved in the following consumer class actions: *Moyle v. Liberty Mut. Ret. Benefit Plan*,  
8 10CV2179-GPC (MDD), 2018 WL 1141499, at \*11 (S.D. Cal. Mar. 2, 2018); *Rikos v. Proctor &*  
9 *Gamble Co.*, 1:11-CV-226, 2018 WL 2009681, at \*9 (S.D. Ohio Apr. 30, 2018); *Grivas v.*  
10 *Metagenics, Inc.*, SACV1501838CJCDFM, 2019 WL 2005792, at \*2 (C.D. Cal. May 6, 2019).

11           11.     For our firm, finally, the post-remand lodestar can be further broken down as  
12 follows:

- 13           a.     Alex Tomasevic: 110.3 hours for total lodestar of \$60,665;
- 14           b.     Craig Nicholas: 39.7 hours for \$25,805
- 15           c.     Shaun Markley: 41.6 hours for \$14,560
- 16           d.     paralegals: 65.4 hours for \$12,753

17           N&T POST-REMAND TOTAL: \$113,783.00

18           12.     We set the billing rates of attorneys and paralegals/law clerks through a process of  
19 continual monitoring of prevailing market rates charged by both defense and plaintiffs' law firms,  
20 for individuals with similar levels of skill and experience who are doing comparable work as our  
21 attorneys and staff. We gather this information from surveys, the review of other fee applications,  
22 and conversations with attorneys in the relevant billing market. We set the billing rates for our  
23 firm to be consistent with the prevailing market rates in the private sector for attorneys and staff of  
24 comparable skill, qualifications and experience.

25           13.     The settlement also allows for Class Counsel's recovery of costs. A true and  
26 correct breakdown of the total costs incurred by N&T, totaling \$8,718.56, is attached here as

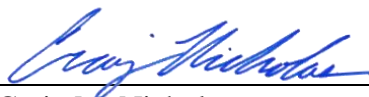
27 **Exhibit A.**

28 <sup>3</sup> Mr. Markley has since become a Partner at Nicholas & Tomasevic, LLP, but we are only claiming his Associate Attorney billing rates for purposes of this motion.

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14. Therefore, N&T's total fees and costs incurred, not including the appeal and not including review and drafting of the motion for approval of this fee/costs award (and not including the time it will take to prepare for and present at the hearing on this fee motion), are \$296,150.70. And when combined with the total lodestar fees and costs incurred by all Class Counsel, we see that the \$1.4 million total request presents a significant discount, or haircut, below what was actually needed to resolve this case and return value to the class members after 6.5 years of contested litigation.

15. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 10, 2020 at San Diego, California.

  
\_\_\_\_\_  
Craig M. Nicholas

# **EXHIBIT A**

Selection Criteria

Acti.Selection Exclude: Expert fees  
 Clie.Selection Include: Duran v. Lipozene  
 Slip.Transaction Type Expense  
 Slip.Classification Open

Rate Info - identifies rate source and level

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
103671	EXP	Lacy Wells	1	1435.00	1435.00
5/10/2013		Filing			
WIP		Duran v. Lipozene			
Court fee to file first appearance fee.					
103841	EXP	Lacy Wells	1	41.03	41.03
5/31/2013		Online Research			
WIP		Duran v. Lipozene			
Online legal research for the month of May.					
103872	EXP	Lacy Wells	1	11.40	11.40
5/31/2013		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for the month of May.					
103900	EXP	Lacy Wells	1	18.33	18.33
5/31/2013		Postage			
WIP		Duran v. Lipozene			
Postage for the month of May.					
105335	EXP	Lacy Wells	1	50.15	50.15
6/30/2013		Online Research			
WIP		Duran v. Lipozene			
Online legal research for the month of June.					
105353	EXP	Lacy Wells	1	14.20	14.20
6/30/2013		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for the month of June.					
106623	EXP	Lacy Wells	1	30.00	30.00
7/22/2013		Messenger			
WIP		Duran v. Lipozene			
Messenger fee to file Summons.					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
106633	EXP	Lacy Wells	1	60.00	60.00
7/26/2013		Filing			
WIP		Duran v. Lipozene			
Court fee to file Notice of Lodgment.					
106631	EXP	Lacy Wells	1	38.02	38.02
7/29/2013		FedEx			
WIP		Duran v. Lipozene			
FedEx					
108030	EXP	Lacy Wells	1	38.80	38.80
8/30/2013		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for August.					
108052	EXP	Lacy Wells	1	9.52	9.52
8/30/2013		Postage			
WIP		Duran v. Lipozene			
Postage for August.					
108085	EXP	Lacy Wells	1	45.14	45.14
8/30/2013		Online Research			
WIP		Duran v. Lipozene			
Online legal research for the month of August.					
109641	EXP	Lacy Wells	1	72.80	72.80
9/30/2013		Online Research			
WIP		Duran v. Lipozene			
Online legal research for the month of September.					
111266	EXP	Lacy Wells	1	9.95	9.95
10/23/2013		Filing			
WIP		Duran v. Lipozene			
Court fee to file case management statement.					
111267	EXP	Lacy Wells	1	1539.50	1539.50
10/23/2013		Transcript			
WIP		Duran v. Lipozene			
Transcript Cost of Derrick Ferguson.					
111271	EXP	Lacy Wells	1	35.40	35.40
10/24/2013		Document Cost			
WIP		Duran v. Lipozene			
Cost of documents from PACER.					



Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
111295	EXP	Law Clerk	1	1670.00	1670.00
10/30/2013		Mediation			
WIP		Duran v. Lipozene			
Cost of mediation.					
111627	EXP	Lacy Wells	1	22.44	22.44
10/31/2013		Postage			
WIP		Duran v. Lipozene			
Postage for October.					
111628	EXP	Lacy Wells	1	152.60	152.60
10/31/2013		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for October.					
114891	EXP	Lacy Wells	1	10.00	10.00
1/28/2014		Document Cost			
WIP		Duran v. Lipozene			
Cost of documents from PACER.					
114978	EXP	Lacy Wells	1	6.11	6.11
1/31/2014		Postage			
WIP		Duran v. Lipozene			
Postage for January.					
121899	EXP	Lacy Wells	1	9.95	9.95
6/4/2014		Filing			
WIP		Duran v. Lipozene			
Court fee to file Notice and POS.					
124519	EXP	Lacy Wells	1	4.00	4.00
7/11/2014		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for June.					
124520	EXP	Lacy Wells	1	0.96	0.96
7/11/2014		Postage			
WIP		Duran v. Lipozene			
Postage for June.					
128932	EXP	Lacy Wells	1	0.80	0.80
10/22/2014		Document Cost			
WIP		Duran v. Lipozene			
Cost of documents from Pacer					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
130416	EXP	Paralegal	1	58.06	58.06
11/7/2014		Postage			
WIP		Duran v. Lipozene			
Postage					
130417	EXP	Paralegal	140	0.10	14.00
11/12/2014		Photocopies			
WIP		Duran v. Lipozene			
Copying cost					
132701	EXP	Lacy Wells	1	19.99	19.99
1/15/2015		Document Cost			
WIP		Duran v. Lipozene			
Cost of Claim Forms.					
134034	EXP	Lacy Wells	1	7.50	7.50
3/9/2015		Document Cost			
WIP		Duran v. Lipozene			
Cost of Minute Order re Final Approval Hearing.					
134070	EXP	Lacy Wells	1	79.85	79.85
3/18/2015		Filing			
WIP		Duran v. Lipozene			
Court fee to file notice of motion for attorney fees.					
136241	EXP	Lacy Wells	1	5.60	5.60
4/1/2015		Document Cost			
WIP		Duran v. Lipozene		Do Not Bill	
Cost of documents from					
136242	EXP	Lacy Wells	1	9.10	9.10
4/1/2015		Document Cost			
WIP		Duran v. Lipozene			
Cost of documents from Federal Court Pacer System.					
136192	EXP	Lacy Wells	1	19.85	19.85
4/3/2015		Filing			
WIP		Duran v. Lipozene			
Court fee to file REply in Support of Motion for Attorney's Fees.					
136200	EXP	Lacy Wells	1	11.50	11.50
4/8/2015		Postage			
WIP		Duran v. Lipozene			
Postage for March.					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
136212	EXP	Lacy Wells	1	60.00	60.00
4/8/2015		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for March.					
136284	EXP	Lacy Wells	1	79.85	79.85
4/17/2015		Filing			
WIP		Duran v. Lipozene			
Notice of Motion for Attorney Fees, Memorandum of Points and Authorities					
136263	EXP	Lacy Wells	1	26.00	26.00
4/27/2015		Miscellaneous			
WIP		Duran v. Lipozene			
Teleconference fee to prepare invoices for motion for cost					
137515	EXP	Lacy Wells	1	2.76	2.76
4/30/2015		Postage			
WIP		Duran v. Lipozene			
Postage for April.					
137544	EXP	Lacy Wells	1	99.01	99.01
5/1/2015		FedEx			
WIP		Duran v. Lipozene			
FedEx					
136289	EXP	Lacy Wells	1	19.85	19.85
5/7/2015		Filing			
WIP		Duran v. Lipozene			
Proposed Order, Proof of Service					
137546	EXP	Lacy Wells	1	19.85	19.85
5/14/2015		Filing			
WIP		Duran v. Lipozene			
Court fee to file Motion.					
138402	EXP	Craig Nicholas	1	6.40	6.40
5/30/2015		Photocopies			
WIP		Duran v. Lipozene			
Copy Charges for May					
138432	EXP	Craig Nicholas	1	5.60	5.60
5/30/2015		Postage			
WIP		Duran v. Lipozene			
Postage for May					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
144777	EXP	Craig Nicholas	1	120.31	120.31
11/3/2015		FedEx			
WIP		Duran v. Lipozene			
FedEx					
144848	EXP	Lacy Wells	1	2.80	2.80
11/30/2015		Photocopies			
WIP		Duran v. Lipozene			
November Photocopy Charges					
144876	EXP	Lacy Wells	1	0.49	0.49
11/30/2015		Postage			
WIP		Duran v. Lipozene			
Postage Charges for November					
144835	EXP	Lacy Wells	1	173.88	173.88
12/10/2015		Photocopies			
WIP		Duran v. Lipozene			
Copying cost from Advanced Photocopy					
146101	EXP	Lacy Wells	1	1.96	1.96
12/31/2015		Postage			
WIP		Duran v. Lipozene			
Postage for December.					
146111	EXP	Lacy Wells	1	1.60	1.60
12/31/2015		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for December.					
154417	EXP	Paralegal 3 - TC	1	13.80	13.80
6/14/2016		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for June 2016.					
155767	EXP	Paralegal 3 - TC	1	0.30	0.30
7/24/2016		Document Cost			
WIP		Duran v. Lipozene			
Cost of documents from PACER.					
166160	EXP	Craig Nicholas	1	143.80	143.80
1/20/2017		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Motion for Leave to Amend on Wal-Mart's Counsel.					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
168223	EXP	Lacy Wells	1	69.95	69.95
1/31/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file notice of motion for leave to amend complaint.					
168224	EXP	Lacy Wells	1	9.95	9.95
1/31/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file Amendment to Complaint naming Amazon.com.					
168225	EXP	Lacy Wells	1	9.95	9.95
1/31/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file proof of service on Walmart.					
168228	EXP	Lacy Wells	1	9.95	9.95
1/31/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file amended notice of motion for leave to amend.					
168267	EXP	Lacy Wells	1	3.00	3.00
1/31/2017		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for January.					
168773	EXP	Lacy Wells	1	10.02	10.02
2/8/2017		FedEx			
WIP		Duran v. Lipozene			
FedEx					
168329	EXP	Craig Nicholas	1	22.72	22.72
2/9/2017		FedEx			
WIP		Duran v. Lipozene			
FedEx.					
168916	EXP	Lacy Wells	1	9.95	9.95
2/10/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file Reply to opposition of notice motion.					
169845	EXP	Lacy Wells	1	9.95	9.95
2/27/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file First Amended Complaint.					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
170934	EXP	Lacy Wells	1	47.30	47.30
3/15/2017		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Amazon.com					
170936	EXP	Lacy Wells	1	47.30	47.30
3/15/2017		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Walgreen Co.					
170937	EXP	Lacy Wells	1	47.30	47.30
3/15/2017		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Drugstore.com					
170938	EXP	Lacy Wells	1	97.00	97.00
3/15/2017		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Brian Corlett.					
171097	EXP	Lacy Wells	1	9.95	9.95
3/16/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file proof of service re Amazon, Corlett, CVS, Drugstore.com.					
171173	EXP	Lacy Wells	1	9.95	9.95
3/17/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file proof of service of first amended complaint.					
171679	EXP	Lacy Wells	1	9.95	9.95
3/24/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file Proof of Service on Continuity Products, LLC.					
170055	EXP	Craig Nicholas	1	90.00	90.00
3/27/2017		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve West Coast Laboratories.					
172115	EXP	Craig Nicholas	1	3.20	3.20
3/31/2017		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for March.					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
172123	EXP	Craig Nicholas	1	32.15	32.15
3/31/2017		Postage			
WIP		Duran v. Lipozene			
Postage for March.					
172190	EXP	Craig Nicholas	1	16.30	16.30
4/1/2017		Document Cost			
WIP		Duran v. Lipozene			
Cost of documents from PACERS.					
172494	EXP	Lacy Wells	1	95.52	95.52
4/21/2017		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Motion for Appointment of Co-Lead Class Counsel on Wal-Mart's counsel.					
172254	EXP	Craig Nicholas	1	69.95	69.95
4/24/2017		Filing			
WIP		Duran v. Lipozene			
Filing fee for Plaintiff's Notice of Motion and Motion for Appointment of Interim Co-Lead Class Counsel, Plaintiff's Memorandum of Points and Authorities in Support					
172606	EXP	Craig Nicholas	1	51.61	51.61
4/28/2017		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Motion on Counsel for Amazon					
172633	EXP	Craig Nicholas	1	152.60	152.60
4/28/2017		Photocopies			
WIP		Duran v. Lipozene			
Copying cost					
173988	EXP	Craig Nicholas	1	7.50	7.50
5/2/2017		Document Cost			
WIP		Duran v. Lipozene			
Cost of documents from San Diego Superior Court					
173932	EXP	Craig Nicholas	1	22.72	22.72
5/5/2017		FedEx			
WIP		Duran v. Lipozene			
FedEx					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
174009	EXP	Craig Nicholas	1	57.00	57.00
5/31/2017		Photocopies			
WIP		Duran v. Lipozene			
Copying cost					
175897	EXP	Craig Nicholas	1	29.85	29.85
5/31/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file Declaration of AT in Support of Plaintiff's Opposition					
175932	EXP	Craig Nicholas	1	44.78	44.78
6/19/2017		FedEx			
WIP		Duran v. Lipozene			
FedEx					
177745	EXP	Craig Nicholas	1	9.95	9.95
6/20/2017		Filing			
WIP		Duran v. Lipozene			
Court Fee to File Plaintiff's Opposition to ORI's Demurrer, Declaration of AT.					
175954	EXP	Craig Nicholas	1	7.50	7.50
6/21/2017		Document Cost			
WIP		Duran v. Lipozene			
Cost of documents from ROA					
177799	EXP	Craig Nicholas	1	97.50	97.50
7/12/2017		Miscellaneous			
WIP		Duran v. Lipozene			
Kramm Court Reporting Fee for hearing.					
177864	EXP	Craig Nicholas	1	9.95	9.95
7/18/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file Second Amended Complaint, Proof of Service					
177918	EXP	Craig Nicholas	1	13.30	13.30
7/31/2017		Postage			
WIP		Duran v. Lipozene			
Postage					
177947	EXP	Craig Nicholas	1	20.00	20.00
7/31/2017		Document Cost			
WIP		Duran v. Lipozene			
Cost of documents from PACER					



Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
179687	EXP	Craig Nicholas	1	69.95	69.95
8/28/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file Joint Ex-Parte Application re Dismissal of Amazon.com, LLC, Declaration of A. Tomasevic.					
179719	EXP	Craig Nicholas	1	1.80	1.80
8/31/2017		Postage			
WIP		Duran v. Lipozene			
Postage for August					
181844	EXP	Craig Nicholas	1	47.30	47.30
9/1/2017		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve CVS Pharmacy					
181845	EXP	Craig Nicholas	1	47.30	47.30
9/1/2017		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Target Corporation.					
181846	EXP	Craig Nicholas	1	47.30	47.30
9/1/2017		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Wal-Mart.com					
183702	EXP	Craig Nicholas	1	9.95	9.95
10/16/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file Plaintiff's Opposition to Demurrer to Second Amended Complaint					
183673	EXP	Craig Nicholas	1	86.00	86.00
10/25/2017		Teleconference Fee			
WIP		Duran v. Lipozene			
Telephonic Court Appearance Fee .					
183708	EXP	Craig Nicholas	1	9.95	9.95
10/25/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file Case Management Statement, Notice of Intent to Appear Telephonically, Proof of Service					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
183717	EXP	Craig Nicholas	1	4.40	4.40
10/31/2017		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for October					
183728	EXP	Craig Nicholas	1	2.03	2.03
10/31/2017		Postage			
WIP		Duran v. Lipozene			
Postage for October					
183730	EXP	Craig Nicholas	1	2.64	2.64
10/31/2017		Postage			
WIP		Duran v. Lipozene			
Postage for October.					
185603	EXP	Craig Nicholas	1	69.95	69.95
11/21/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file Plaintiffs' Memorandum of Points & Authorities iso of Motion for Protective Order					
185669	EXP	Craig Nicholas	1	13.30	13.30
11/30/2017		Postage			
WIP		Duran v. Lipozene			
Postage for November					
187424	EXP	Craig Nicholas	1	9.95	9.95
12/20/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file Proof of Service re Plaintiff's Motion for Protective Order					
187423	EXP	Craig Nicholas	1	69.95	69.95
12/21/2017		Filing			
WIP		Duran v. Lipozene			
Court fee to file Plaintiff's Notice of Motion for Protective Order, Plaintiff's Memorandum of Points & Authorities iso Motion.					
187457	EXP	Craig Nicholas	1	0.67	0.67
12/31/2017		Postage			
WIP		Duran v. Lipozene			
Postage for December					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
190752	EXP	Craig Nicholas	1	0.30	0.30
1/1/2018		Document Cost			
WIP		Duran v. Lipozene			
Cost of documents from Pacer					
188879	EXP	Craig Nicholas	1	9.95	9.95
1/11/2018		Filing			
WIP		Duran v. Lipozene			
Court fee to file Request for Dismissal with Prejudice					
188884	EXP	Craig Nicholas	1	9.95	9.95
1/16/2018		Filing			
WIP		Duran v. Lipozene			
Court fee to file Plaintiff's Opposition to Motion to Compel, Declaration of A. Tomasevic.					
188891	EXP	Craig Nicholas	1	9.95	9.95
1/22/2018		Filing			
WIP		Duran v. Lipozene			
Court fee to file Plaintiff's Reply <i>iso</i> Motion for Protective Order re Deposition, Declaration of A. Tomasevic					
190713	EXP	Craig Nicholas	1	4.54	4.54
1/31/2018		Postage			
WIP		Duran v. Lipozene			
Postage for January					
190729	EXP	Craig Nicholas	1	0.67	0.67
1/31/2018		Postage			
WIP		Duran v. Lipozene			
Postage for January					
190843	EXP	Craig Nicholas	1	9.95	9.95
2/5/2018		Filing			
WIP		Duran v. Lipozene			
Court fee to file Proof of Service re Notice of Rescheduled CMC to West Coast Labs					
190901	EXP	Craig Nicholas	1	0.67	0.67
2/28/2018		Postage			
WIP		Duran v. Lipozene			
Postage for February.					
192549	EXP	Craig Nicholas	1	69.95	69.95
3/13/2018		Filing			
WIP		Duran v. Lipozene			
Court fee to file Ex Parte Application - Other and					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
Supporting Documents,Memorandum of Points and Authorities.					
194226	EXP	Craig Nicholas	1	5.42	5.42
3/31/2018		Postage			
WIP		Duran v. Lipozene			
Postage for March					
195820	EXP	Craig Nicholas	1	9.95	9.95
5/18/2018		Filing			
WIP		Duran v. Lipozene			
Court fee to file Proof of Service					
195835	EXP	Craig Nicholas	1	53.40	53.40
5/31/2018		Photocopies			
WIP		Duran v. Lipozene			
Copying cost for May					
197225	EXP	Craig Nicholas	1	9.95	9.95
6/7/2018		Filing			
WIP		Duran v. Lipozene			
Court fee to file Case Management Statement and Proof of Service					
197233	EXP	Craig Nicholas	1	9.95	9.95
6/15/2018		Filing			
WIP		Duran v. Lipozene			
Court fee to file Reply to Opposition - Other,Proof of Service					
197191	EXP	Craig Nicholas	1	0.89	0.89
6/30/2018		Postage			
WIP		Duran v. Lipozene			
Postage for June					
198968	EXP	Paralegal 3 - TC	1	9.95	9.95
7/5/2018		Filing			
WIP		Duran v. Lipozene			
Court fee to file Case Management Statement and Proof of Service					
198741	EXP	Craig Nicholas	1	2.73	2.73
7/31/2018		Postage			
WIP		Duran v. Lipozene			
Postage for July					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
201685	EXP	Craig Nicholas	1	35.00	35.00
8/1/2018		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Subpoena on Walmart					
201686	EXP	Craig Nicholas	1	35.00	35.00
8/1/2018		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Subpoena on Walmart.com					
201687	EXP	Craig Nicholas	1	35.00	35.00
8/1/2018		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Subpoena on CVS					
201688	EXP	Craig Nicholas	1	35.00	35.00
8/1/2018		Service Fee			
WIP		Duran v. Lipozene			
Fee to serve Subpoena on Walgreens					
201760	EXP	Craig Nicholas	1	9.95	9.95
9/7/2018		Filing			
WIP		Duran v. Lipozene			
Court fee to file Opposition to Noticed Motion and Supporting Declarations, Opposition to Noticed Motion and Supporting					
202921	EXP	Craig Nicholas	1	3.68	3.68
9/30/2018		Postage			
WIP		Duran v. Lipozene			
Postage for September					
210282	EXP	Craig Nicholas	1	69.95	69.95
2/21/2019		Filing			
WIP		Duran v. Lipozene			
Filing Fee for CMotion - Other, Memorandum of Points and Authorities, Declaration - Other, Notice of Lodgment, Proof o					
210283	EXP	Craig Nicholas	1	9.95	9.95
2/21/2019		Filing			
WIP		Duran v. Lipozene			
Filing Fee for Notice of Lodgment, Amended Motion, Proof of Service					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
216021	EXP	Craig Nicholas	1	9.95	9.95
7/19/2019		Filing			
WIP		Duran v. Lipozene			
Court fee to file Amended Motion					
216036	EXP	Craig Nicholas	1	0.50	0.50
7/31/2019		Postage			
WIP		Duran v. Lipozene			
Postage					
216101	EXP	Craig Nicholas	1	9.95	9.95
8/7/2019		Filing			
WIP		Duran v. Lipozene			
Court fee to file Notice of Conditional Settlement.					
217210	EXP	Craig Nicholas	1	69.95	69.95
9/27/2019		Filing			
WIP		Duran v. Lipozene			
Court fee to file Motion- Other, Declaration- Other, Declaration- Other, Declaration- Other, Declaration- Other, Declaration Invoice No. 12046182					
217213	EXP	Craig Nicholas	1	9.95	9.95
10/3/2019		Filing			
WIP		Duran v. Lipozene			
Court fee to file Proposed Order Invoice No. 12054963					
218147	EXP	Craig Nicholas	1	9.95	9.95
10/17/2019		Filing			
WIP		Duran v. Lipozene			
Court fee to file Opposition, Declaration, and Proof of Service. One Legal Invoice No. 12077249					
218190	EXP	Craig Nicholas	1	7.50	7.50
10/22/2019		Document Cost			
WIP		Duran v. Lipozene			
Cost of documents from San Diego Superior Court-Minute Order for our 10-18 Motion for Prelim. <b>Appvl.</b>					
219213	EXP	Craig Nicholas	1	9.95	9.95
11/1/2019		Filing			
WIP		Duran v. Lipozene			
Court fee to file Opposition to Noticed Motion and Supporting Declaration, Declaration - Other, Proof of Service. One Legal Invoice No. 12106224					

Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference			
220126	EXP	Craig Nicholas	1	35.60	35.60
11/1/2019		Postage			
WIP		Duran v. Lipozene			
Postage/Copies for October					
220347	EXP	Craig Nicholas	1	25.74	25.74
1/1/2020		FedEx			
WIP		Duran v. Lipozene			
FedEx - from 11/1/19					
Grand Total					
		Billable	0.00		8712.96
		Unbillable	0.00		5.60
		Total	0.00		8718.56