

CARELLA, BYRNE, CECCHI,
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Liaison Counsel for Lead Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ANDREW J. KORNECKI, Individually)	No. 2:20-cv-10084-KM-JBC
and on Behalf of All Others Similarly)	
Situated,)	<u>CLASS ACTION</u>
)
Plaintiff,)	DECLARATION OF JAMES E.
	CECCHI, ESQ., FILED ON BEHALF
vs.)	OF CARELLA, BYRNE, CECCHI,
	OLSTEIN, BRODY & AGNELLO,
AIRBUS SE, et al.,)	P.C. IN SUPPORT OF APPLICATION
	FOR AWARD OF ATTORNEYS'
Defendants.)	FEEES AND EXPENSES
)	

I, James E. Cecchi, Esq., declare as follows:

1. I am a member of the firm of Carella, Byrne, Cecchi, Brody & Agnello, P.C. ("Firm"). I submit this declaration in support of the application for an award of attorneys' fees and expenses/charges ("expenses") in connection with the prosecution of the above-captioned action.

2. This Firm is Liaison counsel for plaintiff Andrew J. Kornecki and Lead counsel.

3. The work performed by Carella Byrne attorneys and staff are indicated in the concurrently filed Exhibit A. Exhibit A indicates the amount of time spent by Carella Byrne attorneys and staff who were involved in this action. We include the lodestar calculation (hours billed x hourly rates) based on the Firm's current billing rates.

4. The information in this declaration and the related exhibits was created from contemporaneous daily time records and expense reports regularly prepared and maintained by the Firm.

5. I am the partner who oversaw the litigation and the day-to-day activities performed by my Firm. I reviewed these reports (and backup documentation) in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries as well as the necessity for, and reasonableness of, the time and expenses committed to the litigation. Based on this

review, I believe that the time reflected in the Firm's lodestar calculation and the expenses for which payment is sought herein are reasonable and were necessary for the effective and efficient prosecution and resolution of the litigation.

6. The number of hours spent on the litigation by my Firm is 39.20. The lodestar amount for attorney/paralegal (or attorney/paraprofessional) time based on the Firm's current rates is \$21,647.50.

7. The hourly rates shown in Exhibit A are the same rates that have been found reasonable in other securities class actions and complex litigation and consistent with market in other complex or class action litigation. The Firm's rates are set based on periodic analysis of rates charged by firms performing comparable work both on the plaintiff and defense side.

8. My Firm seeks an award of \$616.70 in expenses and charges in connection with the prosecution of the litigation. Those expenses and charges are summarized by category in Exhibit B.

9. The following is additional information regarding certain of these expenses:

(a) Filing, Witness and Other Fees: \$600.00. These expenses have been paid to the Court for filing fees related to four *pro hac vice* applications.

(b) Online Legal and Financial Research: \$16.70. This category includes vendors such as Westlaw, Bloomberg Law, and similar resources. These

EXHIBIT A

EXHIBIT A*Kornecki v. Airbus SE, et al.*, No. 2:20-cv-10084-KM-JBC

No. 1:18-cv-07796-VEC

Carella, Byrne, Cecchi, Brody & Agnello, P.C.

Inception through July 31, 2022

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Cecchi, James	(P)	3.00	\$975.00	\$2,925.00
Ecklund, Donald	(P)	17.80	\$800.00	\$14,240.00
Steele, Jordan	(A)	1.80	\$400.00	\$720.00
Cooper, Kevin	(A)	4.50	\$500.00	\$2,250.00
Tempesta, Laura	(PL)	9.60	\$125.00	\$1,200.00
Falduto, Jeff	(PL)	2.50	\$125.00	\$ 312.50
<i>TOTAL</i>		39.20		\$21,647.50

(P) Partner

(A) Associate

EXHIBIT B

EXHIBIT B

Kornecki v. Airbus SE, et al., No. 2:20-cv-10084-KM-JBC
Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C.
Inception through July 31, 2022

<i>CATEGORY</i>	<i>AMOUNT</i>
Filing, Witness and Other Fees	\$600.00
Online Legal and Financial Research	\$16.70
<i>TOTAL</i>	<i>\$616.70</i>

EXHIBIT C



CLASS ACTION RESUME

Formed in 1976, Carella Byrne is one of the leading law firms in the New Jersey – New York metropolitan area, serving a diverse clientele ranging from small businesses to Fortune 500 corporations. Carella Byrne’s class action practice - founded and led by James E. Cecchi - is the preeminent consumer class action firm in the State of New Jersey and across the United States. Mr. Cecchi has held leadership positions in many of the nation’s most complex and important consumer class actions effecting consumer rights in the last ten years. The most recent examples, to name a few are: (1) *In re Volkswagen “Clean Diesel” Marketing, Sales Practices, and Products Liability Litigation*; (2) *In re Takata Airbag Product Defect Litigation*; (3) *In re National Prescription Opiate Litigation*; (4); *In re American Medical Collection Agency, Inc., Customer Data Security Breach Litigation*; (5) *In re Mercedes-Benz Emissions Litigation*; (6) *In re Liquid Aluminum Sulfate Antitrust Litigation*; (7) *In re Volkswagen Timing Chain Product Liability Litigation*; (8) *In re Insulin Pricing Litigation*.

REPRESENTATIVE MATTERS

- *In re: Volkswagen “Clean Diesel” Marketing, Sales Practices, and Products Liability Litigation*, MDL No. 2672 (N.D. Cal.) (Hon. Charles R. Breyer) (James Cecchi appointed to Steering Committee and as Settlement Class Counsel; settlement in excess of \$15,000,000,000 for consumer fraud and warranty claims arising from the use of a defeat device to evade U.S. emissions regulations.)
- *In re: Takata Airbag Products Liability Litigation*, MDL No. 2599 (S.D. Fla.) (Hon. Frederico A. Moreno) (James Cecchi appointed to Steering Committee and as Settlement Class Counsel; settlement in excess of \$1,500,000,000 for consumer fraud and warranty claims arising from use of defective and dangerous airbags; the case is ongoing as it pertains to second-wave defendants, including Mercedes Benz USA.)
- *In re: American Medical Collection Agency, Inc. Customer Data Security Breach Litigation*, MDL No. 2904 (D.N.J.) (Hon. Madeline Cox Arleo) (James Cecchi appointed sole Lead Counsel in national Multi-District data breach litigation.)
- *In re National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (Hon. Dan A. Polster) (James Cecchi appointed to Plaintiffs’ Executive Committee relating to marketing of opioid drugs. Recent settlements include a proposed \$26 billion settlement with the nation’s largest drug distributors and Johnson & Johnson. Recent trial team victories include Track 3 bellwether of \$650.6 million.)
- *In re: Mercedes-Benz Emissions Litigation*, Civil Action No. 16-cv-881 (D.N.J.) (Hon. Kevin McNulty) (James Cecchi appointed as Interim Co-Lead Counsel for Plaintiffs and the Proposed Class in a case arising out of the alleged use of a defeat device to evade U.S. emissions regulations; settlement with value in excess of \$700,000,000 granted final approval.)

- *In Re: Vytorin/Zetia Marketing, Sales Practices and Products Liability Litigation*, MDL No. 1938 (D.N.J.) (Hon. Dennis M. Cavanaugh); *In re Schering-Plough/Enhance Securities Litigation*, Civil Action No.: 08-cv-397 (D.N.J.) (Hon. Dennis M. Cavanaugh); *In re Merck & Co., Inc. Vytorin/Zetia Securities Litigation*, Civil Action No.: 08-cv-2177 (D.N.J.) (Hon. Dennis M. Cavanaugh) (consumer and securities fraud claims arising from marketing and sale of anti-cholesterol drugs Vytorin and Zetia) (Co-Lead Counsel in Consumer Cases which settled for \$41,500,000 and Liaison Counsel in Securities Cases which collectively settled for \$688,000,000.)
- *In re: Liquid Aluminum Sulfate Antitrust Litigation*, MDL No. 2687 (D.N.J.) (Hon. Jose L. Linares) (James Cecchi appointed as Lead Counsel and secured a settlement of greater than \$100,000,000.)
- *In Re Effexor XR Antitrust Litigation*, Civil Action No. 11-cv-5661 (D.N.J.) (Hon. Joel A. Pisano) (claims on behalf of indirect purchasers of brand-name drug alleging that manufacturer obtained patent by fraud and enforced patent by sham litigation to maintain illegal monopoly of brand-name drug. James Cecchi appointed as Chair of Plaintiffs' Indirect Purchaser Executive Committee.)
- *Davis Landscape v. Hertz Equipment Rental*, Civil Action No. 06-cv-3830 (D.N.J.) (Hon. Dennis M. Cavanaugh) (Co-Lead Counsel in settlement valued at over \$50,000,000 on behalf of contested nationwide class asserting claims that HERTZ' loss/damage waiver charges violated the New Jersey Consumer Fraud Act because it provides no benefit to customers.)
- *In Re: Merck & Co., Inc., Securities, Derivative & "ERISA" Litigation*, MDL No. 1658 (D.N.J.) (Hon. Stanley R. Chesler) (securities fraud claims arising from Merck's failure to disclose problems with commercial viability of anti-pain drug Vioxx which settled for more than \$1,000,000,000.)
- *In re: Mercedes-Benz Tele-Aid Contract Litigation*, MDL No. 1914 (Hon. Dickson R. Debevoise) (Co-Lead Counsel in \$40,000,000 settlement of consumer fraud claims arising from Mercedes' failure to notify Tele-Aid customers of mandated change from analog to digital system, and charging customers to replace system Mercedes knew would be obsolete.)