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Class Counsel

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

LINCOLN ADVENTURES, LLC, a)	No. 2:08-cv-00235-CCC-JAD
Delaware Limited Liability Company,)	
and MICHIGAN MULTI-KING, INC., a)	CLASS ACTION
Michigan Corporation, on Behalf of)	
Themselves and All Those Similarly)	DECLARATION OF DAVID M.
Situated,)	FOSTER FILED ON BEHALF OF
)	DAVID M. FOSTER, P.C. IN
Plaintiffs,)	SUPPORT OF PLAINTIFFS'
)	APPLICATION FOR AWARD OF
vs.)	ATTORNEYS' FEES AND
)	EXPENSES/CHARGES AND
THOSE CERTAIN UNDERWRITERS)	SERVICE AWARDS
AT LLOYD'S, LONDON MEMBERS)	
OF SYNDICATES, et al.)	
)	
Defendants.)	

I, DAVID M. FOSTER, declare as follows:

1. I am the Principal of David M. Foster, P.C., a Michigan Professional Corporation. I am submitting this declaration in support of Plaintiffs' application for an award of attorneys' fees and expenses/charges ("expenses") and service awards in connection with services rendered in the above-entitled action.

2. This firm is one of the counsel of record for Plaintiffs.

3. The information in this declaration regarding the firm's time and expenses is taken from time and expense printouts and supporting documentation prepared and/or maintained by the firm in the ordinary course of business. I am the person who oversaw and/or conducted the day-to-day activities in the litigation and I reviewed backup documentation as far back as June 2007 in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries on the printouts as well as the necessity for, and reasonableness of, the time and expenses committed to the litigation. As a result of this review, reductions were made to both time and expenses in the exercise of billing judgment. As a result of this review and the adjustments made, I believe that the time reflected in the firm's lodestar calculation and the expenses for which payment is sought as set forth in this declaration are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the litigation. In addition, I believe that the expenses are all of a type that I would normally charge to

the firm's fee-paying clients that are represented on an individual basis, whether they are hourly or contingent fee clients.

4. After the reductions referred to above, the number of hours spent on this litigation from inception through May 31, 2019, by the firm including Of Counsel Aulo I. Gonano is 2,884.80. A breakdown of the lodestar is provided in Exhibit A. The hourly rates shown in Exhibit A are the usual and customary rates set by the firm for each individual.

5. From inception through May 31, 2019 my firm's total expenses/charges in connection with the prosecution of the litigation are \$77,236.08. Those expenses are summarized by category in Exhibit B. Examples of such expenses are:

(a) Transportation, Hotels & Meals: \$1,739.88. In connection with the prosecution of this case, the firm has paid for travel expenses to, among other things, a two-day mediation session with Judge Phillips and a major presentation in New York City with other Plaintiffs' counsel. The date, destination and purpose of each trip is set forth in Exhibit C.

(b) Photocopies: \$483.20. In connection with this case, the firm made 2,416 in-house black and white copies, charging \$0.20 per copy for a total of \$483.20. Each time an in-house copy machine was used, the billing system of the copy machine maintains a record of the date and the number of copies made which

verifies my contemporaneous record of copies made. That is how the 2,416 copies were identified as related to this case.

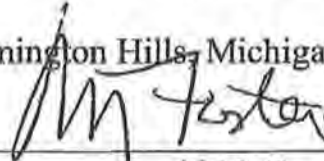
(c) Postage: \$13.00. This category is an example of how this Firm reduced its fees or costs.

6. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

7. The identification and background of my firm and its partners is attached hereto as Exhibit D.

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

Executed this 18th day of July, 2019, in Farmington Hills, Michigan.



David M. Foster

EXHIBIT A

EXHIBIT A

***Lincoln Adventures, LLC, et al. v. Those Certain Underwriters at Lloyd's
London Members of Syndicates, et al.,
No. 2:08-cv-00235-CCC-JAD***

**DAVID M. FOSTER, P.C.
Inception through May 31, 2019**

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
David M. Foster	(P)	2,152.70	\$450.00	\$968,715.00
Aulo I. Gonano	(O)	732.10	\$375.00	\$274,537.50
<i>TOTAL</i>		<i>2,884.80</i>		<i>\$1,243,252.50</i>

(P) Partner

(O) Of Counsel

EXHIBIT B

EXHIBIT B

*Lincoln Adventures, LLC, et al. v. Those Certain Underwriters at Lloyd's
London Members of Syndicates, et al.,
No. 2:08-cv-00235-CCC-JAD*

**DAVID M. FOSTER, P.C.
Inception through May 31, 2019**

<i>CATEGORY</i>		<i>AMOUNT</i>
Transportation, Hotels & Meals		\$1,739.88
Postage		\$13.00
Photocopies		
Outside:	\$ 0	
In-House Black and White Copies: (2,416 copies at \$0.20 per page)		\$483.20
Litigation Fund Contribution		\$75,000.00
<i>TOTAL</i>		<i>\$77,236.08</i>

EXHIBIT C

EXHIBIT C

***Lincoln Adventures, LLC, et al. v. Those Certain Underwriters at Lloyd's
London Members of Syndicates, et al.,
No. 2:08-cv-00235-CCC-JAD***

**DAVID M. FOSTER, P.C.
Inception through May 31, 2019**

Transportation, Hotels and Meals: \$1,739.88

<i>NAME</i>	<i>DATE</i>	<i>DESTINATION</i>	<i>PURPOSE</i>
David M. Foster	3/11/13	New York City	Presentation
David M. Foster	4/22/18	New York City	Mediation (2 days)

EXHIBIT D

EXHIBIT D

***Lincoln Adventures, LLC, et al. v. Those Certain Underwriters at Lloyd's
London Members of Syndicates, et al.,
No. 2:08-cv-00235-CCC-JAD***

**DAVID M. FOSTER, P.C.
Inception through May 31, 2019**

FIRM RESUME

DAVID M. FOSTER

David M. Foster, Attorney at Law, was established in January 1980, and became a Michigan Professional Corporation in March 1987. The Firm has been retained in hundreds of securities fraud matters. Four (4) were reported in Federal Supplement and one in the Michigan Appeals Report. Mr. Foster has been interviewed by the Wall Street Journal, New York Times, and USA Today, among many other publications regarding cases he was litigating.

Since 2004, Mr. Foster has been involved in numerous Anti-Trust Class Action cases and Securities Fraud Derivative Actions. One of the Anti-Trust Class Actions is the case that preceded this matter, *In re: Insurance Brokerage Antitrust Litigation*. The Firm's hourly billing rate for this case and similar cases is \$450.00 per hour. It has not changed during the duration of this case.

AULO I. GONANO (OF COUNSEL)

Aulo I. Gonano, Attorney at Law, was established in 1977, and became a Michigan Professional Corporation in 1992. Mr. Gonano, in addition to his private Practice has served as a Prosecutor and Magistrate. For years, his Firm has specialized in tax work and Probate and Estate Planning. In addition to the present matter, Mr. Gonano was co-counsel for, *In re: Insurance Brokerage Antitrust Litigation*. His hourly rate for this case is \$375.00. It has not changed during the duration of this case.