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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE CITY AND COUNTY OF SAN FRANCISCO**

10 **PHYLLIS BRANNIN, VIRGINIA**
GOMEZ and VENUS SAVAGE,
11 **Individually and On Behalf of All Others**
12 **Similarly Situated,**

13 **Plaintiffs,**

14 **v.**

15 **GOLDEN GRAIN COMPANY and DOES**
1 through 100

16 **Defendants.**

Case No. CGC-16-555084

DECLARATION OF MIRANDA P. KOLBE
IN SUPPORT OF MOTION FOR
ATTORNEYS' FEES AND COSTS AND
INCENTIVE AWARDS

Date: November 5, 2020
Time: 10:00 a.m.
Dept: 303
Judge: Hon. Mary E. Wiss

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19 I, Miranda P. Kolbe, declare that:

20 1. I am of counsel in the law firm Schubert Jonckheer & Kolbe LLP ("Schubert
21 Jonckheer & Kolbe" or "Class Counsel"), which was appointed as Class Counsel in this litigation.
22 Unless otherwise indicated, the facts set forth herein are on personal knowledge. If called to
23 testify, I could and would testify competently thereto. The capitalized terms herein refer to terms
24 defined in the Second Amended Settlement Agreement and Release (the "Settlement"), attached
25 as Exhibit 1 to my declaration filed with this Court on May 4, 2020.

26 2. I submit this declaration in support of Plaintiffs' Motion for Attorneys' Fees and
27 Costs and Incentive Awards filed herewith.
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1 **I. RELEVANT FACTS AND PROCEDURAL HISTORY**

2 3. On October 28, 2016, plaintiffs Jackie Arcala (“Arcala”) and Debra Tuitele
3 (“Tuitele”) filed this class action in San Francisco Superior Court, alleging that defendant Golden
4 Grain Company (“Golden Grain” or “Defendant”) violated Cal. Bus. & Prof. Code § 17200 by
5 packaging and distributing the following Near East brand products in boxes containing a
6 substantial amount of nonfunctional slack fill:

7 Couscous products: Broccoli & Cheese, Mediterranean Curry, Herbed Chicken,
8 Parmesan, Roasted Garlic & Olive Oil Wheat Couscous, Toasted Pine Nut, Wild
9 Mushroom & Herb, Roasted Garlic & Olive Oil Pearled Couscous, and Basil & Herb
10 Pearled Couscous.

11 Rice pilaf products: Original Rice Pilaf, Brown Rice Pilaf, Lentil Rice Pilaf, Chicken
12 Rice Pilaf, Spanish Rice Pilaf, Garlic & Herb Rice Pilaf, Roasted Chicken and Garlic Rice
13 Pilaf, Original Long Grain and Wild Rice, Garlic and Herb Long Grain and Wild Rice,
14 Roasted Vegetable & Chicken Long Grain & Wild Rice, Sesame Ginger Rice, Toasted
15 Almond Rice Pilaf, and Wild Mushroom & Herb Rice Pilaf.

16 Quinoa products: Roasted Red Pepper & Basil, Rosemary & Olive Oil, Zesty Lemon and
17 Mediterranean Medley.

18 Whole grain and tabbouleh products: Roasted Pecan & Garlic and Tabbouleh Mix.

19 (the “Near East Products”). The complaint sought restitution and injunctive relief on behalf of a
20 Class of purchasers of the Near East Products in California since October 28, 2012.

21 4. On December 8, 2016, plaintiffs filed an application for complex designation. The
22 application was granted on January 25, 2017.

23 5. On March 1, 2017, Golden Grain demurred. The demurrer was overruled on April
24 5, 2017, and Golden Grain answered the complaint on May 11, 2017.

25 6. On September 14, 2017, plaintiffs filed an amended complaint, adding Brannin,
26 Gomez and Savage as named plaintiffs and putative class representatives. (Arcala and Tuitele
27 voluntarily dismissed their claims with prejudice on March 7, 2018.)

28 7. On October 2, 2017, Plaintiffs filed a motion for certification of the Class,
appointment of Brannin, Gomez and Savage as Class Representatives, and appointment of
Schubert Jonckheer & Kolbe LLP as Class Counsel. In support of their motion, Plaintiffs
submitted seven declarations, including declarations by Brannin, Gomez and Savage, and
declarations by a packaging expert, John Caporaso (“Caporaso”), and a damages expert, Brian
Bergmark (“Bergmark”).

1 8. Prior to filing its opposition to Plaintiffs’ motion on February 26, 2018, Defendant
2 sought documents from and deposed Brannin, Gomez, Savage, Caporaso and Bergmark.
3 Defendants’ opposition was supported by the declarations of two Golden Grain employees, Larry
4 Czech (“Czech”), a manager at its packaging facility, and Emily Prazen (“Prazen”), a marketing
5 manager.

6 9. Plaintiffs sought documents from and deposed Czech and inspected Golden
7 Grain’s packaging facility in Illinois with the assistance of their packaging expert, Caporaso.
8 Prior to the plant inspection, Plaintiffs filed a “one shot” submission regarding their proposal to
9 videotape the plant inspection. Plaintiffs also investigated Prazen’s assertions set forth in her
10 declaration.

11 10. On July 9, 2018, in conjunction with Plaintiffs’ reply papers filed in support of
12 their motion, Caporaso submitted a rebuttal declaration, and Plaintiffs moved to exclude certain
13 of Czech’s testimony. On August 24, 2018, the motion to exclude was fully briefed.

14 11. On September 18, 2018, the parties engaged in a full day mediation with Hon.
15 Richard Kramer (ret.). The parties mediated for a second day with Judge Kramer’s assistance on
16 September 28, 2018. The mediations did not result in a settlement.

17 12. On November 1, 2018, the Court heard Plaintiffs’ motion for class certification,
18 and ordered supplemental briefing regarding Class Notice.

19 13. On November 26, 2018, Plaintiffs filed a supplemental memorandum, along with a
20 declaration by a notice expert, Linda V. Young (“Young”).

21 14. Golden Grain sought documents from and deposed Young on December 14, 2018.

22 15. On January 3, 2019, Golden Grain filed a supplemental opposition memorandum,
23 supported by the declaration of Todde B. Hilsee (“Hilsee”), a class action notice expert.

24 16. Plaintiffs investigated Hilsee’s credentials and prior testimony, as well as his
25 assertions set forth in his declaration.

26 17. On January 18, 2019, Plaintiffs filed a supplemental reply brief, along with
27 rebuttal declarations by Young and another class action notice expert, Camron Assadi.
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1 18. The Court held a second hearing on Plaintiffs’ motion on January 24, 2019, and on
2 the following day, entered an order granting class certification, appointing Brannin, Gomez and
3 Savage as Class Representatives, and appointing Schubert Jonckheer & Kolbe LLP as Class
4 Counsel (the “Class Certification Order”).

5 19. On that same day, the Court reassigned this case, and on March 8, 2019, again
6 reassigned it, this time to Hon. Charlene Padovani Kiesselbach.

7 20. Following entry of the Class Certification Order, the parties recommenced
8 extensive arms-length settlement negotiations that they had begun with Judge Kramer’s
9 assistance. Their settlement negotiations were hard-fought and continued through 2019,
10 eventually culminating in a settlement agreement executed on December 13, 2019.

11 21. On December 17, 2019, Plaintiffs filed a motion for preliminary approval of the
12 settlement and approval of class notice. After a hearing on February 7, 2020, the Court requested
13 additional briefing.

14 22. Plaintiffs filed two sets of supplemental papers – the first, on March 9, 2020, and
15 the second, on May 4, 2020, both of which included amendments to the settlement agreement and
16 related exhibits. On May 8, 2020, the Court granted Plaintiffs’ motion for preliminary approval
17 of the Second Amended Settlement Agreement (the “Settlement”) and approved the proposed
18 form and manner of class notice.

19 23. On June 11, 2020, this case was re-assigned to Judge Mary E. Wiss for all
20 purposes.

21 **II. PLAINTIFFS’ REQUEST FOR AN AWARD OF \$500,000 TO COMPENSATE**
22 **CLASS COUNSEL FOR THEIR FEES AND COSTS IS REASONABLE UNDER**
23 **THE CIRCUMSTANCES**

24 24. Prosecution of this action has involved significant financial risk for Class Counsel.
25 Class Counsel undertook this matter solely on a contingent basis, with no guarantee of recovery,
26 and years of work expended on this case precluded other employment by the attorneys involved.

27 25. Consumer class actions are typically complex and protracted, and cases involving
28 claims of slack filled packaging pose a particularly high risk. As the district court in *In re*

1 *McCormick & Co.* explained, few putative slack fill class actions have survived the early stages,
2 and fewer still have been successfully certified outside of the settlement context:

3 Despite the volume of slack-fill litigation, all of which has been filed as putative class
4 actions, very few have reached the stage of class certification. Many cases have been
5 dismissed for failing to plausibly allege nonfunctional slack-fill or failing to plausibly
6 allege that reasonable consumers would have been misled by the packaging even if there
7 was nonfunctional slack-fill. Slack-fill claims have also been dismissed on other
8 grounds, remanded to state court, stayed, or resolved on summary judgment, or plaintiffs
9 have decided not to pursue them. In several cases, plaintiffs have voluntarily dismissed
10 their claims (presumably due to a settlement), frequently with the plaintiffs individual
11 claims dismissed with prejudice, while the class claims are dismissed without prejudice.
12 Courts have reached the question of class certification in only six cases - one granted
13 certification, two granted certification of a settlement class, and three denied certification.

14 (D.D.C. 2019) 422 F. Supp. 3d 194, 209-10.

15 26. In this case, an additional risk was posed by Golden Grain’s assertion of a repeat
16 purchaser defense. *See e.g., Chow v. Neutrogena Corp.*, No. 12-04624, 2013 U.S. Dist. LEXIS
17 17670 (C.D. Cal. Jan. 22, 2013) (holding that an inference of classwide reliance was not
18 appropriate because, among other things, “a significant portion of consumers who purchased the
19 product were repeat purchasers.”); *Bratton v. Hershey Co.* (W.D. Mo. Feb. 16, 2018) No. 2:16-
20 cv-4322-C-NKL, 2018 U.S. Dist. LEXIS 26031 (granting summary judgment of slack fill claims
21 brought by repeat purchaser).

22 27. Despite these risks, Schubert Jonckheer & Kolbe successfully overcame demurrer
23 and achieved class certification while litigating against capable counsel from Greenberg Traurig.

24 28. Through the work of Class Counsel, Plaintiffs achieved a Settlement that allows all
25 Class members who submit valid claims supported by documentation to obtain \$1.25 for each box
26 of Near East Product purchased in California during the Class Period. Given that Class Counsel,
27 assisted by Plaintiffs’ packaging and damages experts, estimated that the maximum restitution in
28 this case could range from \$0.53 to \$1.18 per box, those Settlement Class Members who submit
valid claims supported by documentation would receive payments greater than the maximum
restitution that could be available at trial.

29 29. The Settlement also provides that Settlement Class Members lacking
documentation can also submit claims for monetary relief of \$1.25 per box, up to a maximum of
\$7.50 per Household. This limitation on payments to those who file claims without any

1 documentation is reasonable, because: (1) Settlement Class Members lacking documentation of
2 their purchases would likely face greater hurdles in proving their claims at trial; (2) claims of
3 more than six (6) purchases could potentially be vulnerable to Golden Grain’s “repeat purchaser”
4 defense, discussed above; and (3) because the Parties lack records of purchasers against which
5 Claims unsupported by documentation may be verified, a cap on the amount that Households may
6 recover is a reasonable measure to prevent fraud.

7 30. In addition to restitution, the Settlement provides for a change in the packaging, to
8 prevent consumers going forward from being misled by the size of the Near East Products’ boxes.
9 Specifically, Golden Grain has agreed to change its packaging to include either a disclosure
10 stating that the packages contain empty space or a line or graphic that represents the product fill
11 line, along with a statement such as “Fill Line,” in a reasonable type face on the exterior of each
12 box for a period of not less than five (5) years.

13 31. Throughout the litigation, Schubert Jonckheer & Kolbe devoted substantial
14 resources to this case, including the following work:

- 15 • Researching and drafting a class action complaint and amended complaint;
- 16 • Researching and drafting a successful opposition to Defendant’s demurrer, including
17 preparing for the hearing thereon;
- 18 • Conducting significant discovery including by written interrogatories and document
19 requests of Defendant and document subpoenas of third parties, as well as meeting and
20 conferring with defense counsel and third parties regarding that discovery;
- 21 • Working closely with four expert witnesses, two of whom submitted both opening and
22 rebuttal declarations, traveling with one to Illinois to inspect Golden Grain’s
23 packaging facility, and preparing and representing three of the four at deposition;
- 24 • Investigating the qualifications and representations of Defendant’s witnesses,
25 including its marketing and packaging managers, and Defendant’s proffered class
26 action notice expert, Todd Hilsee;
- 27 • Communicating regularly with the named plaintiffs, including preparing the three
28 class representatives for deposition and representing each at her deposition;
- Researching developments in other cases alleging unlawful and/or deceptive slack
filled packaging;
- Researching and drafting a successful motion for class certification, including
supplemental briefing, and researching and drafting a motion to exclude certain of
Defendant’s evidence submitted in opposition to Plaintiffs’ class certification motion;

- Drafting mediation statements and participating in two mediations with Hon. Richard A. Kramer (ret.);
- Negotiating and preparing the Settlement along with all corresponding documents, including claim forms, summary and long form notice and proposed order;
- Researching and preparing the motion for preliminary approval and supporting documents, and supplemental briefing regarding the same; and
- Researching and preparing the instant motion.

32. As set forth in the chart below, Schubert Jonckheer & Kolbe has expended over 1600 hours to date diligently investigating and prosecuting Plaintiffs' claims, which multiplied by their current hourly billing rates comprises a lodestar of over \$1.18 million:

<u>Category</u>	<u>Hours</u>	<u>Lodestar</u>
Case Management	77.9	\$ 54,001
Class Certification	370.7	271,195
Client Communications	62.7	45,648
Demurrer	148.3	114,890
Discovery	242.7	168,400
Experts	207.4	152,076
Legal Research	141.1	104,167
Pleadings	63.3	47,517
Settlement	290.6	226,285
	1,604.7	\$1,184,179

33. The hours and lodestar of Schubert Jonckheer & Kolbe's attorneys and paralegals expended to date are summarized as follows:

<u>Name</u>	<u>Title</u>	<u>Time</u>	<u>Hourly Rate</u>	<u>Lodestar</u>
Anujan Jeevaprakash	Associate	0.5	350	\$175.00
Willem Jonckheer	Partner	28.4	800	\$22,720.00
Sara Kahan	Paralegal	38	200	\$7,600.00
Rawan Khalili	Paralegal	0.1	200	\$20.00
Cassidy Kim	Associate	44.5	420	\$18,690.00
Miranda Kolbe	Of Counsel	1030.6	800	\$824,480.00
Kathryn McCauley	Associate	226.3	530	\$119,939.00
Dustin Schubert	Partner	30.8	650	\$20,020.00
Noah Schubert	Partner	82.3	650	\$53,495.00
Robert Schubert	Partner	123.2	950	\$117,040.00
				\$1,184,179.00

1 34. I anticipate that Schubert Jonckheer & Kolbe will do more work before this case is
2 finally resolved, including continued communications with Settlement Class Members,
3 supervising the work of the Claims Administrator and filing the motion for final approval of the
4 Settlement, including opposing any objections to the Settlement or Plaintiffs' request for
5 attorneys' fees and costs and incentive awards.

6 35. Attached as Exhibit A is Schubert Jonckheer & Kolbe's firm resume. Robert
7 Schubert and Kathryn McCauley are graduates of Harvard Law School, and Miranda Kolbe is a
8 graduate of Berkeley Law School (formerly Boalt Hall). Robert Schubert, Miranda Kolbe and
9 Kathryn McCauley have over 30 years, 19 years, and 11 years of experience, respectively.

10 36. In addition to the attorney time expended in this case, Schubert Jonckheer & Kolbe
11 has incurred substantial out-of-pocket litigation expenses in prosecuting this litigation. As set
12 forth in the table below, the firm's litigation expenses to date have totaled \$91,495.13:


Category	Amount
ADR	\$ 4,522.00
Copying	1,550.40
Courtcall	94.00
Experts	63,971.68
FedEx	176.75
Filing Fees	2,862.99
Legal Research	4,038.64
Messenger	1,174.15
Miscellaneous	209.95
Postage	75.24
Transcripts	5,266.25
Travel	<u>7,553.08</u>
	\$91,495.13

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22 37. During the nearly four years that this litigation has been pending, each of the three
23 Class Representatives has spent considerable time on the litigation, including time spent
24 reviewing pleadings, responding to discovery, preparing for deposition and being deposed, and
25 participating in settlement discussions and reviewing the settlement papers, including after
26 amendment. The Class Representatives' continued assistance throughout the litigation was
27 instrumental to Class Counsel in formulating the legal theories of the case and developing the
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1 factual record. The recovery achieved for the Settlement Class was facilitated by the Class
2 Representatives' diligent efforts and continued involvement.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 10th day of August, 2020 at San Rafael, California.



Miranda P. Kolbe

EXHIBIT A

Schubert Jonckheer & Kolbe LLP

Together with its predecessor firms, Schubert Jonckheer & Kolbe LLP has been in operation for over thirty-five years. In addition to prosecuting cases in California federal and state courts, the firm has been actively involved in securities, antitrust, unfair competition, and employment class actions throughout the United States. Schubert Jonckheer & Kolbe has served as Lead Counsel or Co-Lead Counsel in class actions and shareholder derivative actions that have produced recoveries valued at over \$850 million.

- ***Tucker v. Scrushy***, No. CV-02-5212 (AEH) (Ala. Cir., Jefferson Cty.). Co-Lead Counsel in shareholder derivative action on behalf of HealthSouth Corporation alleging breaches of fiduciary duty and insider trading arising from a restatement of financial results. Plaintiffs won partial summary judgment against former Chief Executive Officer Richard Scrushy for restitution to HealthSouth of \$47.8 million. Plaintiffs also settled HealthSouth's claims against additional HealthSouth directors and officers for \$100 million and against its investment banker for an additional \$133 million. At trial against Mr. Scrushy on additional claims, Plaintiffs obtained a \$2.9 billion judgment, which was later upheld by the Alabama Supreme Court.
- ***In re Google AdWords Litigation***, No. 5:08-CV-03369-EJD (N.D. Cal.). Lead Counsel for nationwide class of advertisers alleging Google placed their ads on low-quality parked domains and error pages in violation of California's false advertising laws. We obtained a \$22.5 million settlement on behalf of over one million class members, which was finally approved in the Northern District of California.
- ***Ciapessoni et al. v. United States***, No. 1:15-cv-00938-LAS (Fed. Cl.). Co-Counsel for nationwide class of raisin growers alleging that the federal government's practice of setting aside a portion of their raisin crop constituted an unconstitutional taking of private property for public use in violation of the Fifth Amendment of the U.S. Constitution. We obtained an \$85.8 million settlement on behalf of over 6,000 raisin growers who opted-in to the class, which was finally approved by the U.S. Court of Federal Claims.
- ***Poertner v. The Gillette Company***, No. 12-CV-803 (M.D. Fla.). Co-Lead Counsel in nationwide consumer class action alleging false and misleading advertising of certain Duracell batteries regarding the batteries' longevity, in violation of various state laws. We obtained a settlement valued at approximately \$50 million on behalf of approximately 7.26 million class members.
- ***In re The Home Depot, Inc. Shareholder Derivative Litigation***, No. 1:15-CV-2999-TWT (N.D. Ga.). Co-Lead Counsel in shareholder derivative action alleging breaches of fiduciary duty against certain officers and directors concerning The Home Depot 2014 data breach. We successfully resolved the litigation through settlement by causing The Home Depot to enact comprehensive corporate governance reforms and structural improvements to its data security protocols.
- ***Marsh & McLennan Companies, Inc. Derivative Litigation***, No. 753-VCS (Del. Ch.). As co-counsel, we helped obtain a \$205 million settlement in a shareholder derivative action brought on behalf of Marsh & McLennan Companies ("MMC"). The complaint alleged

that MMC, the world's largest insurance broker, failed to adequately disclose that it was paid commissions to steer insurance business to favored companies. When the practices were revealed, MMC paid huge fines, to the detriment of its shareholders.

- ***3M Transparent Tape Cases***, No. 4:00-2810-CW (N.D. Cal.). Co-Lead Counsel in nationwide antitrust class action on behalf of purchasers of 3M transparent tape. Plaintiffs claimed that 3M maintained an unlawful monopoly in the market for invisible and transparent tape designed to restrict the availability of lower-priced comparable products to consumers and maintain supracompetitive prices for its own retail products. We obtained a settlement valued at approximately \$42 million.
- ***Bonneville Pacific Corporation Securities Litigation***, No. 2:92-C-0181-DS (D. Utah). Co-Lead Counsel in securities class action involving fraudulent financial statements by a power cogeneration company. We obtained settlements totaling \$26 million for the class, which recovered 100% of its damages, in one of the largest securities fraud cases in Utah history. We also obtained an important decision from the Utah Supreme Court holding that plaintiffs need not plead or prove reliance under the Utah Uniform Securities Act.
- ***Qwest Communications International, Inc. Derivative Litigation***, No. 02-CV-8188 (Colo. Dist. Ct., Denver). Co-Lead Counsel in shareholder derivative action alleging breaches of fiduciary duty and insider trading arising out of the telecommunications company's earnings restatement. We obtained a \$25 million settlement on the company's behalf.
- ***Pfeiffer v. Toll***, No. 4140-VCL (Del. Ch.). Primary counsel in shareholder derivative action alleging breaches of fiduciary duty and insider trading arising out of missed earnings projections. We recovered a \$16.25 million settlement on the company's behalf and obtained a key legal ruling rejecting the argument that Delaware's leading insider trading precedent should be overruled. *Pfeiffer v. Toll*, 989 A.2d 683 (Del. Ch. 2010).

Current Court-Appointed Leadership Positions

- ***In re Arris Cable Modem Consumer Litigation***, No. 5:17-cv-1834-LHK (N.D. Cal.). Class Counsel for certified class of California consumers who purchased allegedly defective cable modems in violation of consumer protection laws.
- ***Nalick v. Seagate Technology LLC***, No. CGC-15-547787 (Cal. Super. Ct.). Class Counsel for certified class of California consumers who purchased allegedly defective hard disk drives in violation of California consumer protection and false advertising laws.
- ***Brannin, et al., v. Golden Grain Company, et al.***, No. CGC-16-555084 (Cal. Super. Ct.). Class Counsel for certified class of California consumers asserting consumer protection claims on behalf of purchasers of slack-filled food packages.
- ***Fisher v. United States***, No. 13-CV-608-MMS (Fed. Cl.). Lead Counsel in shareholder derivative action on behalf of Fannie Mae alleging unconstitutional taking of private property against U.S. government based on net worth sweep of all profits.

- ***In re Fitbit, Inc. Stockholder Derivative Litigation***, C.A. No. 2017-402-JRS (Del. Ch.). Co-Lead Counsel in shareholder derivative action alleging unlawful insider trading and breaches of fiduciary duty against certain of Fitbit, Inc.’s officers and directors.
- ***In re Banc of California, Inc. Stockholder Derivative Litigation***, No. 8:19-CV-621-AG-DFM (C.D. Cal.). Co-Lead Counsel in shareholder derivative action alleging breaches of fiduciary duty against certain of Banc of California’s officers and directors.
- ***In re Zimmer Biomet Holdings, Inc. Derivative Litigation***, C.A. No. 2019-0455-AGB (Del. Ch.). Co-Lead Counsel in shareholder derivative action alleging unlawful insider trading, breaches of fiduciary duty, and related shareholder claims against certain corporate officers and directors and private investment funds.
- ***In re: MacBook Keyboard Litigation***, No. 5:18-cv-02813-EJD-VKD (N.D. Cal.). Member of the Executive Committee in consumer class action asserting consumer protection and common law claims based on the sale of allegedly defective laptop keyboards.

Attorneys

Robert C. Schubert received a B.S. degree from the New York State School of Industrial and Labor Relations at Cornell University in 1966, where he graduated first in his class. He received his J.D. *cum laude* from Harvard Law School in 1969, after which he taught law at Columbia University and Golden Gate University. He has actively practiced law at both the trial and appellate levels. He specializes in complex litigation, particularly securities and antitrust class actions and shareholder derivative suits. He is a member of the state and federal bars of California, Massachusetts, and New York. Since 1971, he has also arbitrated numerous disputes for the Federal Mediation and Conciliation Service. He is the author of several published articles and lectures on class actions at the University of California Hastings College of the Law. Mr. Schubert was selected to Super Lawyers from 2007-2009 and 2013-2020.

Willem F. Jonckheer received his B.A. degree from Colgate University in 1990. He was awarded his J.D. degree in 1995 from the University of San Francisco School of Law, where he served as an article editor on the USF Maritime Law Journal and participated in the Philip C. Jessup International Law Moot Court Competition. Mr. Jonckheer was a law intern with the Pacific Stock Exchange, where he researched regulatory issues affecting national securities exchanges, and the U.S. Securities & Exchange Commission, where he worked on enforcement cases. Since 2012, Mr. Jonckheer has been a member of the Board of Trustees of Live Oak School, an independent K-8 school in San Francisco, where he served as Chairman of the Audit Committee, and as a member of select committees on Head of School compensation and school bylaws. Mr. Jonckheer is a member of the Northern California Chapter of the Netherland-America Foundation, an organization dedicated to bilateral cultural exchange between the Netherlands and the United States. He was admitted to the State Bar of California in 1995.

Miranda P. Kolbe received her B.A. from Hamilton College. She was awarded her J.D. degree from the University of California at Berkeley, Boalt Hall, where she won the Prosser Prize in

Civil Procedure and the Moot Court Advocacy Award. She served as an Instructor for Boalt's Legal Research and Writing class and interned at the Prison Law Office in San Quentin, California. She later served as a legal researcher in the Civil Division of the San Francisco Superior Court. Ms. Kolbe has participated in numerous continuing litigation programs as an expert on consumer class actions. Ms. Kolbe was selected to Super Lawyers for 2019 and 2020.

Dustin L. Schubert received his B.A. from the University of California at Berkeley in 2003. He was awarded his J.D. degree in 2007 from Vanderbilt University Law School. Mr. Schubert was admitted to the State Bar of California in 2007. He previously interned with the San Francisco Superior Court for the Hon. A. James Robertson II and for Bay Area Legal Aid. Mr. Schubert was selected to Super Lawyers Rising Stars for 2017.

Noah M. Schubert received his J.D. *cum laude* from the University of San Francisco School of Law in 2011, where he served as Editor-in-Chief of the USF Law Review. Mr. Schubert authored a comment titled *Replacement Justice on the U.S. Supreme Court: The Use of Temporary Justices to Resolve the Recusal Conundrum*, 46 U.S.F. L. Rev. 215 (2011), and was awarded Best Oral Argument in the Moot Court Program. Mr. Schubert received his B.A. from the University of California at Berkeley in 2003.

Kathryn Y. McCauley received her B.A. from Cornell University in 2006. She was awarded her J.D. degree from Harvard Law School in 2009, where she served as an executive editor of the Harvard International Law Journal. Ms. McCauley was admitted to the State Bar of California in 2009 and the State Bar of New York in 2012. She served as a judicial extern with the Santa Clara Superior Court for the Hon. J. Kleinberg. Ms. McCauley previously worked for Kirkland & Ellis LLP and Satterlee Stephens Burke & Burke LLP, where she represented public and private entities in corporate transactions.

Gregory T. Stuart received his J.D. from the University of California at Davis School of Law in 2005. In 2002, Greg was awarded a B.S. in Business Administration, *cum laude*, with a minor in Philosophy, from Humboldt State University. Greg participates in most aspects of the firm's practice but has over a decade of focused experience in document discovery, representing both producing and receiving parties during that time.