

United States District Court
Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: QUALCOMM ANTITRUST
LITIGATION

Case No. 17-MD-02773-LHK

**ORDER APPOINTING INTERIM
PLAINTIFFS' STEERING
COMMITTEE AND CO-LEAD
PLAINTIFFS' COUNSEL**

On April 13, 2017, the Court adopted the Plaintiffs' proposal regarding motions to serve as interim lead Plaintiffs' counsel. ECF No. 3. This proposal set the deadline for filing such motions on April 28, 2017, and prohibited oppositions except by leave of Court. ECF No. 2.

On April 28, 2017, the Court received five separate motions to serve as interim lead Plaintiffs' counsel, ECF Nos. 9, 11, 12, 13, 14, and three statements filed in support of various law firms, ECF Nos. 10, 15, 16. No party requested leave of Court to file an opposition.

Having reviewed all of these submissions, having heard the arguments at the May 11, 2017 hearing, and having considered the factors enumerated in Rule 23(g)(1)(A) of the Federal Rules of Civil Procedure, the Court hereby APPOINTS Kalpana Srinivasan of Susman Godfrey LLP

1 (“Susman Godfrey”), Steven Williams of Cotchett, Pitre & McCarthy, LLP (“Cotchett”), and
2 Steve Berman of Hagens Berman Sobol Shapiro LLP (“Hagens Berman”) to a Plaintiffs’ Steering
3 Committee. Ms. Srinivasan has considerable experience litigating patent cases, including
4 regarding the technology at issue, and complex class actions. In addition, of all the Plaintiffs’
5 counsel in these consolidated cases, Ms. Srinivasan is the only attorney who has tried a case
6 before this Court, and Ms. Srinivasan was excellent at trial. Mr. Williams and Mr. Berman have
7 considerable experience litigating complex class actions, including antitrust class actions. In the
8 Court’s judgment, a three firm Plaintiffs’ Steering Committee will best serve the interests of the
9 putative class in this MDL.

10 Further, the Court hereby APPOINTS Ms. Srinivasan and Mr. Williams as Co-Lead
11 Plaintiffs’ Counsel. Ms. Srinivasan and Mr. Williams have (1) performed considerable work in
12 identifying or investigating potential claims in this action; (2) demonstrated experience in
13 handling complex class actions; (3) shown adequate knowledge of the applicable law; and (4)
14 established a willingness to commit significant resources to representing the class. *See* Fed. R.
15 Civ. P. 23(g)(1)(A). Ms. Srinivasan and Mr. Williams have also demonstrated a commitment to
16 maintain scrupulous, contemporaneous billing records of all time spent litigating this case. *See*
17 ECF No. 11-1, at 12–13; ECF No. 13, at 6.

18 Accordingly, the Court GRANTS in part and DENIES in part the motion to serve as lead
19 Plaintiffs’ counsel filed by Hagens Berman and Susman Godfrey, and the motion to serve as co-
20 lead Plaintiffs’ counsel filed by Cotchett. The Court DENIES the other pending motions. ECF
21 Nos. 9, 12, 14.

22 To ensure efficiency, the Court adopts the following protocols. Other than the Plaintiffs’
23 Steering Committee, no other law firms shall work on this MDL without prior approval of the
24 Court. Motions for approval of additional Plaintiffs’ counsel shall identify the additional
25 Plaintiffs’ counsel and their background, the specific proposed tasks, and why Plaintiffs’ Steering
26 Committee cannot perform these tasks.

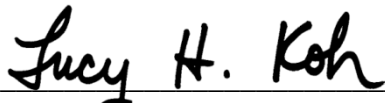
United States District Court
Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The Court further orders that any billers who will seek fees in this case, including staff, consultants, and experts, shall maintain contemporaneous billing records of all time spent litigating this case. By “contemporaneous,” the Court means that an individual’s time spent on a particular activity should be recorded no later than seven days after that activity occurred. Mr. Williams or Ms. Srinivasan shall review and approve attorney’s fees and costs each month and strike any duplicative or unreasonable fees and costs.

IT IS SO ORDERED.

Dated: May 15, 2017



LUCY H. KOH
United States District Judge