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13 **Attorneys for Plaintiffs**
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16 **UNITED STATES DISTRICT COURT**
17 **SOUTHERN DISTRICT OF CALIFORNIA**

18
19 KIM ALLEN, LANIE RIDEOUT, and
KATHLEEN HAIRSTON, all others
20 similarly situated, and the general
21 public,

22 Plaintiffs,

23
24 SIMILASAN CORPORATION,

25 Defendant
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Case No.: 3:12-cv-00376-BAS-JLB

CLASS ACTION

Filed: February 10, 2012

**DECLARATION OF DEAN GOETZ
IN SUPPORT OF FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

1 I, Dean Goetz, hereby declare:

2 1. I am an attorney licensed to practice law in the State of California and in
3 U.S. Federal Court. I am associated with Attorney Ronald Marron and Gomez Trial
4 Attorneys who are co-lead counsel firms of record for Plaintiffs and the Class in the
5 above captioned action, (“Action”). I submit this declaration in support of Plaintiffs’
6 motion for final approval of the proposed class action settlement and the motion for an
7 award of attorneys’ fees, litigation expenses, and incentives for the class representatives.
8 I have been actively involved in the litigation and I have firsthand knowledge of the
9 matters stated in this declaration. If called upon to do so, I would testify in accordance
10 with this declaration.

11 2. I have a background in Economics, Business Administration, Real Estate,
12 Insurance and investing. I received a B.B.PA. with emphasis in Economics and
13 Accounting from the University of North Dakota (1970). I attended and graduated from
14 the University of North Dakota School of Law in 1975 with a J.D. and became a
15 member of the California Bar in 1975. I have been attorney of record in numerous
16 actions in various California Superior Courts and the U.S. Federal Courts in the
17 Southern District. I worked for a law firm in Oceanside, California for one and a half
18 years before forming my own firm in 1977. I have spent the past 40 years as a trial
19 attorney handling many different types of cases including complex personal injury cases
20 such as products liability suits against numerous defendants such as Ford Motor
21 Company and General Motors. I was co-counsel representing the class representative in
22 a case against National Western Life Insurance which was presented for trial in the U.S.
23 District Court, Southern District of California before settling. I was co-counsel in
24 Kransky vs. Depuy and Johnson & Johnson a products liability case which resulted in
25 an \$8,338,000 Million dollar verdict after a 6 week jury trial. This verdict led to the
26 settlement of more than 4,000 State and Feral cases. I have also represented several
27 other plaintiffs in other class actions in U.S. District Court. I am currently representing
28 multiple clients in U. S. District Court MDL Mass Tort actions against Depuy, Stryker,
Biomet, Wright Medical, Cook Medical, Actos, and Bard.

1 3. Over the course of the last 40 years, I have litigated approximately 2,000
2 cases. I have represented the plaintiffs in most of these cases. I am a very experienced
3 litigation attorney.

4 4. I became involved in this case early on and participated in a strategy and plan
5 so that we could best represent our lead plaintiff and the entire class of victims. I spent
6 many hours providing legal expertise, appearing in Court and taking depositions
7 whenever it was needed.

8 5. Based on my billing records, I performed a total of 117.2 attorney hours of
9 work on this file during the pre-filing investigation and during the time the action has
10 been pending. My reasonable hourly rate for this type of work, as claimed in Class
11 Counsel's lodestar, is \$600 per hour. The reasonableness of this billing rate, for a 40
12 year trial lawyer, is demonstrated by my extensive experience as a trial attorney who has
13 personally handled more than a 2,000 lawsuits to conclusion. The fee requested is
14 reasonable because of the great risk of failure in handling this case and the result
15 achieved for the class. I have previously had a \$750 per hour rate approved in a
16 different class action matter in this Federal District. The time expended in connection
17 with this litigation by me, as set forth herein, is within the contingency fee as outlined in
18 the retainer fee agreement, is reasonable in amount, particularly when compared to the
19 complexity of this litigation and the quality of the result achieved on behalf of the class.

20 6. Attorney Robert Salgado is a member of the California Bar and is licensed
21 to practice in all California Courts and the U.S. District Court, Southern District of
22 California. Robert Salgado is experienced in both class action and mass tort litigation
23 and worked for my firm in the indicated capacity for more than two years. He has been
24 intimately involved in numerous Federal cases including more than 150 MDL mass tort
25 hip cases and several class actions. He has prepared pleadings and motions in many of
26 these cases. Mr. Salgado helped prepare lead attorneys for depositions and court
27 hearings. He spent hours researching the products and the pertinent legal issues. Mr.
28 Salgado spent 43 hours working on this case and his billing rate is \$300 per hour.

1 7. Law Clerk (now licensed attorney) Lindy Giacomuzzi Rotz spent
2 approximately 45 hours working on this case and her billing rate is \$125 per hour.
3 Lindy is an experienced law clerk/paralegal who worked on this case and several other
4 class action and numerous Mass Tort MDL cases as a law clerk and paralegal.

5 8. Paralegal Stacie Crosser spent approximately 3 hours working on this case
6 and her billing rate is \$125 per hour. Stacie has 10 years of experience as a litigation
7 paralegal who worked on this case and several other class action and numerous Mass
8 Tort MDL cases as a paralegal.

9 9. The work my staff and I performed on this case was necessary to ensure the
10 successful prosecution of this litigation. I have time records itemizing the time spent by
11 each attorney and paralegal which can be presented to the Court at a hearing, if
12 necessary.

13 10. The total amount of the attorney fees on this case is \$89,220.00 and the costs
14 are \$721.76 for a total of \$89,941.76.

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct.

17 Executed on this 22nd day of June 2017 in San Diego, California.

18 By: /s/ Dean Goetz
19 DEAN A. GOETZ
20 **THE GOETZ FIRM, INC.**

21 *Class Counsel*
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