

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

EDWARD HUYER, et al.,

Case No. 4:08-cv-00507-RP-CFB

Plaintiffs,

v.

Judge: Hon. Robert W. Pratt

WELLS FARGO & CO., and
WELLS FARGO BANK, N.A.,

Defendants.

**DECLARATION OF HOWARD M. MILES FILED ON BEHALF OF
CONSUMER LAW AND MASS TORT LITIGATION GROUP, LLC, FORMERLY
KNOWN AS WHATLEY DRAKE & KALLAS, LLC IN SUPPORT OF APPLICATION
FOR AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

I, HOWARD M. MILES, declare as follows:

1. I am Howard M. Miles. I am the Executive Director of and an attorney with Consumer Law and Mass Tort Litigation Group, LLC, formerly known as Whatley Drake & Kallas, LLC (the “Firm”). In said capacity I have responsibility for and custody of the financial books and records of the Firm. I submit this declaration in support of the Firm’s application for an award of attorneys’ fees and for a reimbursement of expenses in the above-captioned litigation (the “Action”).

2. The statements and information that follow are based on information reflected within the Firm’s books and records. These books and records are kept in the course of the regularly conducted business activity of the Firm and it was the regular practice of our business activity to make and keep these books and records.

3. In this Action, the Firm is counsel of record for the Plaintiffs. The Firm, along with co-counsel, filed a Class Action Complaint in this action on August 5, 2008. At the time Deborah Clark Weintraub, a partner in the Firm, was the partner in charge of the litigation which was conducted over the next several years. Ms. Weintraub changed law firms in 2012.

4. The Firm has spent 1,641.60 hours litigating this Action and its lodestar, as set forth below, and is based on its historical hourly rates, which were usual and customary in an Action of this type. The lodestar totals \$884,107.50

<i>Name</i>	<i>Total Hours</i>	<i>Hourly Rate</i>	<i>Total Lodestar</i>
Partners			
Deborah Clark-Weintraub	381.50	800.00	305,200.00


<i>Name</i>	<i>Total Hours</i>	<i>Hourly Rate</i>	<i>Total Lodestar</i>
Total Partners			305,200.00
<u>Of Counsel</u>			
Charlene P. Ford	7.60	575.00	4,370.00
Total Of Counsel			4,370.00
<u>Associates</u>			
Sara Hacker	917.50	500.00	458,750.00
Elizabeth Rosenberg	138.50	500.00	69,250.00
Total Associates			528,000.00
<u>Law Clerks</u>			
Total Law Clerks			-0-
<u>Paralegals</u>			
Joshua Lerner	61.80	225.00	13,905.00
Rita Kapetanos	70.20	225.00	15,795.00
Paralegal (Joyce Durham)	33.50	225.00	7,537.50
Thomas Sloan (IT)	31.00	300.00	9,300.00
Total Paralegals			46,537.50
TOTALS			884,107.50

5. The Firm has incurred expenses in this Action that total \$35,493.59. The expenses are as follows:

<i>EXPENSE</i>	<i>TOTAL</i>
Consultants	
Courier	
Court Reporters/Transcripts	11,643.41
Document Production/Storage	
Experts	
Filing, Witness & Other Fees	2,931.64
Mediation	
On-Line Research	384.48
Photocopies	4,701.03
Postage	1,027.52
Staff Overtime	
Supplies	
Telephone, Facsimile	343.18
Travel (Meals, Hotels & Transportation)	14,462.33
<i>TOTAL</i>	35,493.59

6. All of the time and expense incurred in the Action are reflected in the books and records of the Firm. The expenses in this Action are supported by vouchers, checks, time records, and other documents, contained in the books and records of the Firm.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 7th day of December, 2015.



Howard M. Miles