

1 Lesley E. Weaver (Cal. Bar No. 191305)  
2 BLEICHMAR FONTI & AULD LLP  
3 1330 Broadway, Suite 630  
4 Oakland, CA 94612  
5 Tel.: (415) 445-4003  
6 Fax: (415) 445-4020  
7 Email: lweaver@bfalaw.com

8 *Counsel for the Direct Purchaser Plaintiff Class*

9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

11 IN RE: PACKAGED SEAFOOD  
12 PRODUCTS ANTITRUST  
13 LITIGATION

Case No. 3:15-md-02670-DMS-MSB  
MDL No. 2670

**DECLARATION OF LESLEY E.  
WEAVER IN SUPPORT OF DIRECT  
PURCHASER PLAINTIFFS'  
OPENING FEE AND COSTS BRIEF**

14 This document relates to:  
15 DIRECT PURCHASER CLASS  
16 PLAINTIFFS TRACK

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1 I, Lesley E. Weaver, declare as follows:

2 1. I am a partner at Bleichmar Fonti & Auld LLP, one of the firms that  
3 represents the Direct Purchaser Plaintiffs (“DPPs”) in the above-captioned action (the  
4 “Action”). I submit this declaration in support of Lead Counsel’s application for an  
5 award of attorneys’ fees for services rendered in the Action, for reimbursement of  
6 expenses incurred in connection with the Action, and for Service Awards for Class  
7 Representatives. I make this declaration based on my personal knowledge and, if  
8 called, could testify hereto the following information.

9 2. The DPPs represent a proposed class of direct purchasers for violations  
10 of the antitrust laws by the three largest domestic producers of packaged tuna  
11 products—Bumble Bee Foods LLC (“Bumble Bee”), Tri-Union Seafoods LLC d/b/a  
12 Chicken of the Sea (“COSI”), and StarKist Company (“StarKist”), and the relevant  
13 parent companies<sup>1</sup> (collectively, “Defendants”). The Judicial Panel on Multidistrict  
14 Litigation centralized the cases before the Southern District of California in December  
15 of 2015 (*see* MDL No. 2670), after which the Honorable Janis L. Sammartino  
16 appointed interim lead counsel for the DPPs, Hausfeld LLP (“Lead Counsel”), as well  
17 as members of a Plaintiffs’ Steering Committee. ECF No. 119. As part of the Court’s  
18 order appointing counsel, Lead Counsel was ordered to “[t]o call meetings of the law  
19 firms representing the class of DPPs when deemed appropriate and to assign work to  
20 these law firms[.]” *Id.*

21 3. My firm, as counsel for the DPPs, worked extensively with Lead Counsel  
22 and Plaintiffs’ Steering Committee to conduct factual investigation and analysis in  
23 connection with drafting the amended complaint; participated in and contributed to  
24 conferences with Lead Counsel to develop litigation strategy, assign tasks, share  
25 developing evidence, and craft strategies for further discovery and expert analysis;

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26 <sup>1</sup> Defendant Dongwon Industries Co. Ltd. owns StarKist; Defendant Thai Union  
27 Group owns COSI; and Defendants Lion Capital LLP, Lion Capital (Americas) Inc.,  
28 and Big Catch Cayman LP (together, the “Lion Defendants”) owned Bumble Bee.

1 draft discovery requests and negotiate the method and scope of discovery with  
2 Defendants; review and analyze documents produced by Defendants and/or third-  
3 parties; respond to Defendants' discovery requests; prepare for and depose  
4 Defendants' and/or third-parties' employees and senior executives; and prepare for  
5 and attend court hearings.

6 4. The schedule attached hereto as Exhibit 1 is a detailed summary  
7 indicating the amount of time spent by attorneys and professional support staff of my  
8 firm who were involved in, and billed ten or more hours to, this Action, and the  
9 lodestar calculation for those individuals based on my firm's then-current billing rates  
10 (including historical rates). For personnel who are no longer employed by my firm,  
11 the lodestar calculation is based on the billing rates for such personnel at the time they  
12 conducted work on behalf of the DPPs. The schedule was prepared from  
13 contemporaneous daily time records regularly prepared and maintained by my firm.  
14 Time expended on the Action after August 23, 2024 has not been included in this  
15 request. Time expended on the application for attorneys' fees and reimbursement of  
16 litigation expenses has also been excluded.

17 5. The hourly rates for the attorneys and professional support staff of my  
18 firm included in Exhibit 1 are set by lead counsel due to the circumstances of this  
19 particular matter and are rates which have been accepted in other complex or class  
20 action litigation.

21 6. The total number of hours reflected in Exhibit 1 is 3,103.30. The total  
22 lodestar reflected in Exhibit 1 is \$1,241,300.00, consisting of attorneys' time. None  
23 of the time consists of professional support staff time.

24 7. My firm's lodestar figures are based on billing rates, which do not  
25 include charges for expense items. Expense items are billed separately and such  
26 charges are not duplicated in my firm's billing rates.

27 8. As detailed in Exhibit 2, my firm is seeking reimbursement for a total of  
28 \$22.10 in litigation expenses incurred in connection with the prosecution of this

1 Action from January 1, 2021 through and including August 23, 2024 (this does not  
2 include contributions to the Litigation Fund, which are described in Lead Counsel’s  
3 supporting declaration).

4 9. The litigation expenses reflected in Exhibit 2 are the actual incurred  
5 expenses.

6 10. The expenses incurred in this Action are reflected on the books and  
7 records of my firm. These books and records are prepared from expense vouchers,  
8 check records, and other source materials and are an accurate record of the expenses  
9 incurred.

10 11. My firm has reviewed the time and expense records that form the basis  
11 of this declaration to correct any billing errors. In addition, my firm has removed all  
12 time entries and expenses related to the following activities if not specifically  
13 authorized by Lead Counsel: reading or reviewing correspondence or pleadings,  
14 appearances at hearings or depositions, and travel time and expenses related thereto.

15 I declare under penalty of perjury under the laws of the United States of  
16 America that the foregoing is true and correct. Executed this 2nd day of October 2024.

17 By: s/ Lesley E. Weaver  
18 Lesley E. Weaver

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# Exhibit 1

**In re Packaged Seafood Products Antitrust Litigation, MDL 2670  
Bleichmar Fonti Auld - Summary Time Report**

| <b>Name</b>   | <b>Title</b> | <b>Hourly Rate</b> | <b>Total Hours</b> | <b>Total Amount</b>   |
|---|--------------|--------------------|--------------------|-----------------------|
| Weaver, Lesley  | Partner      | \$700              | 217.1              | \$151,970.00          |
| Meeks, Wilson   | Partner      | \$700              | 16                 | \$11,840.00           |
| Simnowitz, Sara   | Of Counsel   | \$600              | 84.4               | \$50,640.00           |
| Desai, Mili   | Associate    | \$500              | 13.9               | \$6,950.00            |
| English, Robyn  | Associate    | \$500              | 56.9               | \$28,450.00           |
| Cibulka, Britt  | Associate    | \$470              | 183.1              | \$86,057.00           |
| Aldridge, Emily   | Associate    | \$500              | 21.9               | \$10,950.00           |
| Green, William  | Associate    | \$360              | 15.2               | \$5,472.00            |
| Maxis, Laurie   | Attorney     | \$350              | 524.3              | \$183,505.00          |
| Wax, David  | Attorney     | \$360*             | 1785.4             | \$624,981.00          |
| Sullivan, Kasey   | Associate    | \$450              | 70.2               | \$31,590.00           |
| Samra, Joshua   | Associate    | \$350              | 28.1               | \$9,835.00            |
| Moody, Janelle  | Associate    | \$450              | 86.8               | \$39,060.00           |
|   |              |                    |                    |                       |
| <b>TOTAL</b>  |              |                    | <b>3,103.30</b>    | <b>\$1,241,300.00</b> |
|   |              |                    |                    |                       |
| *Denotes fluctuation in hourly rate during earlier reporting period |              |                    |                    |                       |

# Exhibit 2

*In re Packaged Seafood Products Antitrust Litigation, MDL 2670*  
Expenses

FIRM NAME: **BLEICHMAR FONTI & AULD LLP**

REPORTING PERIOD: **January 1, 2021 to August 23, 2024**

| <b>ITEM</b>                    | <b>TOTAL EXPENSES TO DATE</b> |
|--------------------------------|-------------------------------|
| Legal Research (Westlaw/Pacer) | \$22.10                       |
|                                |                               |
|                                |                               |
|                                |                               |
| <b>TOTAL EXPENSES</b>          | <b>\$22.10</b>                |