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12 **UNITED STATES DISTRICT COURT**
13 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

14 IN RE: PACKAGED SEAFOOD
15 PRODUCTS ANTITRUST
16 LITIGATION

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

**DECLARATION OF PETER ST.
PHILLIP, JR. IN SUPPORT OF
DIRECT PURCHASER PLAINTIFFS'
OPENING FEE AND COSTS BRIEF**

17 This document relates to:
18 DIRECT PURCHASER CLASS
19 PLAINTIFFS TRACK

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1 I, Peter St. Phillip, Jr., declare as follows:

2 1. I am a partner at Lowey Dannenberg, P.C., 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 companies¹ (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, of which my firm was included. ECF
18 No. 119. As part of the Court’s order appointing counsel, Lead Counsel was ordered
19 to “[t]o call meetings of the law firms representing the class of DPPs when deemed
20 appropriate and to assign work to these law firms[.]” *Id.*

21 3. My firm, as counsel for the DPPs, performed the following tasks at the
22 request of Lead Counsel:

- 23 • conferred with client, Pacific Groservice Inc. d/b/a PITCO Foods
24 (“PITCO”), regarding: all potential claims to be asserted in the complaint
25 and consolidated complaint, all discovery issues related to client’s

26 ¹ 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 documents and pricing information; updates on the status of the case;
- 2 • conferred and collaborated with Lead Counsel and supporting counsel as a
- 3 member of the Steering Committee with respect to litigation strategy and
- 4 case management;
- 5 • researched defendants and potential defendants, and their key executives;
- 6 • performed legal research and drafted memoranda;
- 7 • assisted in researching and drafting the initial complaint and the
- 8 Consolidated Class Action Complaint and various amendments thereto;
- 9 • worked on discovery issues including collecting, reviewing and producing
- 10 PITCO's documents, drafting discovery requests and responding to
- 11 defendants' discovery requests;
- 12 • reasearched caselaw and draft opposition to various motions to dismiss;
- 13 • performed first and second-level document review;
- 14 • digested depositions;
- 15 • traveled to Seoul, South Korea to take defendant deposition; prepare for and
- 16 take defendant corporate designee deposition;
- 17 • prepare for and defend PITCO's deposition;
- 18 • attended court hearings and status conferences;
- 19 • worked on settlement issues including research and draft memo re
- 20 settlement hearing and reviewed proffer materieals;
- 21 • analyzed Ninth Circuit decision re class certification; and
- 22 • prepared PITCO representative for scheduled trial testimony.

23 4. The schedule attached hereto as Exhibit 1 is a detailed summary
24 indicating the amount of time spent by attorneys and professional support staff of my
25 firm who were involved in, and billed ten or more hours to, this Action, and the
26 lodestar calculation for those individuals based on my firm's then-current billing rates
27 (including historical rates). For personnel who are no longer employed by my firm,

1 the lodestar calculation is based on the billing rates for such personnel at the time they
2 conducted work on behalf of the DPPs. The schedule was prepared from
3 contemporaneous daily time records regularly prepared and maintained by my firm.
4 Time expended on the Action after August 23, 2024 has not been included in this
5 request. Time expended on the application for attorneys' fees and reimbursement of
6 litigation expenses has also been excluded.

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

11 6. The total number of hours reflected in Exhibit 1 is 2,499.20. The total
12 lodestar reflected in Exhibit 1 is \$1,232,456,50, consisting of \$1,210,340 for
13 attorneys' time and \$22,116.50 for professional support staff time.

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

17 8. As detailed in Exhibit 2, my firm is seeking reimbursement for a total of
18 \$36.83 in litigation expenses incurred in connection with the prosecution of this
19 Action from January 1, 2021 through and including August 23, 2024 (this does not
20 include contributions to the Litigation Fund, which are described in Lead Counsel's
21 supporting declaration).

22 9. The litigation expenses reflected in Exhibit 2 are the actual incurred
23 expenses.

24 10. The expenses incurred in this Action are reflected on the books and
25 records of my firm. These books and records are prepared from expense vouchers,
26 check records, and other source materials and are an accurate record of the expenses
27 incurred.

28 11. My firm has reviewed the time and expense records that form the basis

1 of this declaration to correct any billing errors. In addition, my firm has removed all
2 time entries and expenses related to the following activities if not specifically
3 authorized by Lead Counsel: reading or reviewing correspondence or pleadings,
4 appearances at hearings or depositions, and travel time and expenses related thereto.

5 I declare under penalty of perjury under the laws of the United States of
6 America that the foregoing is true and correct. Executed this 2nd day of October,
7 2024.

8 By:  _____

9 Peter St. Phillip, Jr.
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EXHIBIT 1

In re Packaged Seafood Products Antitrust Litigation, MDL 2670
Lowey Dannenberg, P.C. - Summary Time Report
3/24/2016 - 8/23/2024

Row Labels	Sum of Billable Time	Average of Hourly Rate	Sum of Amount
Adam Lucchesi	0.6	\$ 395	\$ 237.00
Barbara Hart	411.5	\$ 700	\$ 288,050.00
Christina McPhaul	37.5	\$ 400	\$ 15,000.00
Craig Maider	8.8	\$ 485	\$ 4,268.00
David Harrison	29.5	\$ 700	\$ 20,650.00
Geoffrey Horn	0.4	\$ 700	\$ 280.00
Grace Lee	98.3	\$ 380	\$ 37,354.00
Greg Santiago	72.0	\$ 210	\$ 15,120.00
Joanne Mannion	0.4	\$ 210	\$ 84.00
Katherine Vogel	17.5	\$ 395	\$ 6,912.50
Lee Yun Kim	28.0	\$ 410	\$ 11,480.00
Matthew Guarnero	1.0	\$ 325	\$ 325.00
Peter St. Phillip	5.9	\$ 700	\$ 4,130.00
Samantha Breitner	910.2	\$ 430	\$ 391,386.00
Scott Papp	27.9	\$ 700	\$ 19,530.00
Sung-Min Lee	559.6	\$ 500	\$ 279,800.00
Sylvie Bourassa	3.0	\$ 500	\$ 1,500.00
William Olson	242.1	\$ 500	\$ 121,050.00
Yong Kim	45.0	\$ 340	\$ 15,300.00
Grand Total	2,499.2		\$ 1,232,456.50

EXHIBIT 2

In re Packaged Seafood Products Antitrust Litigation, MDL 2670
Lowey Dannenberg, P.C. - Detail Expense Report
1/1/2021 - 8/23/2024

Date	Description	Amount
9/1/2023	Expense - Postage	\$25.23
5/13/2024	S. Papp and client - travel to meeting in NYC with A. Steyer, etc	\$11.60
Total		\$36.83