

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

RALPH GAMBLES, THOMAS MERCK and
ELSIE COMPO, individually and as
representatives of the Classes,

Plaintiffs,

v.

STERLING INFOSYSTEMS, INC.,

Defendant.

NO. 1:15-cv-09746-PAE

**DECLARATION OF DAVID
SELIGMAN IN SUPPORT OF
PLAINTIFF'S MOTION FOR
ATTORNEYS' FEES, COSTS, AND
NAMED PLAINTIFF SERVICE
AWARDS**

I, David Seligman, declare that the following is true and correct based upon my personal knowledge:

1. I am attorney for Plaintiffs in this matter.
2. I am the Director and an attorney at Towards Justice, a non-profit legal organization.
3. I am authorized and licensed to practice law in Colorado, New York, and Massachusetts.
4. Founded in 2014, Towards Justice is a non-profit law firm based in Denver, Colorado dedicated to defending the human and civil rights of workers and consumers through strategic policy advocacy and impact litigation.
5. Towards Justice's impact litigation focuses on attacking systemic injustices in the labor market, with a particular focus on cases that address structural and systemic racism and impediments to worker bargaining power.

6. Additionally, Towards Justice has established a robust outreach, intake, and referral program that evaluates the potential legal claims of low-wage workers and low-income consumers across the country, with a focus on the Mountain West.

7. Due to Towards Justice's outreach directed toward women experiencing homelessness in Denver, one of the class representatives in this matter brought concerns about Defendant's conduct to Towards Justice's attention.

8. Towards Justice has expended has invested numerous hours into the investigation and prosecution of this case.

9. Towards Justice was one of the firms named as Class Counsel by this Court in the Preliminary Approval Order, ECF No. 183.

10. Towards Justice's lodestar to date in this matter is \$85,475.00. A true and correct summary of Towards Justice's lodestar to date, including time billed and hourly rates for each attorney and staff member, is attached hereto as **Exhibit 1**. Detailed fee records are attached as **Exhibit 2**.

11. Towards Justice seeks reimbursement of litigation costs to date to in the amount of \$989.80. All of the expenses were reasonable and were necessary to the prosecution of the case. A true and correct summary of Towards Justice's litigation costs to date is attached hereto as **Exhibit 3**.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: July 22, 2020

/s/ David H. Seligman
David H. Seligman
Towards Justice
1410 High Street, Suite 300
Denver, CO 80218

(303) 957-2289
david@towardsjustice.org

Exhibit 1 to Seligman Declaration

Towards Justice Rates; Gambles v. Sterling

Date Start: 12/1/2016 | Date End: 6/19/2020 |

FCRA

Name	Title	Billable Rate Per Hour	Number of Hours
Juno Turner	Litigation Director, Attorney	\$700	27.7
David Seligman	Attorney	\$450	130.8
Deborah Schaffer	Investigator	\$125	57.6

Exhibit 2 to Seligman Declaration

Towards Justice Billing; Gambles v. Sterling

Date Start: 12/1/2016 | Date End: 6/19/2020 |

FCRA						
Date	User	Description	Hourly Rate	Time	Bill Amount	
12/16/2016	David Seligman	Research [REDACTED] under FCRA.	\$450.00 hr	3.80	\$1,710.00	
01/19/2017	David Seligman	Call w/NCLC re: Sterling case.	\$450.00 hr	1.30	\$585.00	
02/09/2017	David Seligman	Negotiating co-counsel and review document.	\$450.00 hr	2.10	\$945.00	
02/10/2017	David Seligman	Discussion with co-counsel re: status of litigation.	\$450.00 hr	6.20	\$2,790.00	
02/16/2017	David Seligman	Researching [REDACTED] FCRA issues and [REDACTED]	\$450.00 hr	3.10	\$1,395.00	
02/17/2017	David Seligman	Draft retainer.	\$450.00 hr	2.40	\$1,080.00	
02/17/2017	David Seligman	Meeting with Elsie Compo.	\$450.00 hr	2.10	\$945.00	
02/21/2017	David Seligman	Draft retainer.	\$450.00 hr	1.80	\$810.00	
03/14/2017	David Seligman	Call with co-counsel.	\$450.00 hr	1.00	\$450.00	
03/14/2017	David Seligman	Research in preparation for meeting with co-counsel.	\$450.00 hr	3.50	\$1,575.00	
03/23/2017	David Seligman	Research re: [REDACTED]	\$450.00 hr	3.10	\$1,395.00	
03/28/2017	David Seligman	Review new FCRA case.	\$450.00 hr	1.80	\$810.00	
03/28/2017	David Seligman	Call with co-counsel.	\$450.00 hr	1.30	\$585.00	
03/29/2017	David Seligman	Review draft complaint.	\$450.00 hr	1.20	\$540.00	
03/30/2017	David Seligman	Review draft complaint.	\$450.00 hr	3.20	\$1,440.00	
03/31/2017	David Seligman	Preparing Sterling file request.	\$450.00 hr	2.00	\$900.00	
03/31/2017	David Seligman	Researching additional claims for [REDACTED]	\$450.00 hr	1.90	\$855.00	
03/31/2017	David Seligman	Call EC regarding draft complaint.	\$450.00 hr	1.40	\$630.00	
04/02/2017	David Seligman	Amended complaint drafting.	\$450.00 hr	2.30	\$1,035.00	
04/03/2017	David Seligman	Amended complaint drafting.	\$450.00 hr	6.10	\$2,745.00	
04/12/2017	David Seligman	Meeting w [REDACTED] regarding [REDACTED].	\$450.00 hr	1.40	\$630.00	
05/02/2017	David Seligman	Admission to to SDNY and forms for putative class member.	\$450.00 hr	2.60	\$1,170.00	
05/12/2017	David Seligman	Meet and confer call.	\$450.00 hr	0.20	\$90.00	
06/07/2017	David Seligman	PHV admission.	\$450.00 hr	2.60	\$1,170.00	
07/19/2017	David Seligman	Draft memo regarding [REDACTED]	\$450.00 hr	3.10	\$1,395.00	
08/01/2017	David Seligman	Review memo regarding [REDACTED]	\$450.00 hr	2.30	\$1,035.00	
08/10/2017	David Seligman	Call with opposing counsel.	\$450.00 hr	1.80	\$810.00	
08/15/2017	David Seligman	Draft letter to opposing counsel memorializing conversation.	\$450.00 hr	3.80	\$1,710.00	
11/18/2017	David Seligman	Meet with co-counsel to discuss plan for discovery.	\$450.00 hr	1.00	\$450.00	
11/20/2017	David Seligman	Draft status report.	\$450.00 hr	2.10	\$945.00	
11/21/2017	David Seligman	Draft letter to opposing counsel re: motion to compel.	\$450.00 hr	4.20	\$1,890.00	
11/21/2017	David Seligman	Draft letter report with [REDACTED]	\$450.00 hr	2.30	\$1,035.00	
11/22/2017	David Seligman	Call with opposing counsel.	\$450.00 hr	1.00	\$450.00	
3/2/2018	David Seligman	Prepare PHV filing .	\$450.00 hr	1.10	\$495.00	
03/05/2018	Deborah Schaffer	Draft PHV and good standing.	\$125.00 hr	1.00	\$125.00	
9/12/2018	David Seligman	Research class cert. experts re: [REDACTED]	\$450.00 hr	1.60	\$720.00	
9/13/2018	David Seligman	Research class cert. experts re: [REDACTED]	\$450.00 hr	0.70	\$315.00	

9/25/2018	David Seligman	Research issues related to third-party discovery	\$450.00 hr	0.80	\$360.00
9/28/2018	David Seligman	Review expert analysis re: [REDACTED] and discuss with co-counsel	\$450.00 hr	1.80	\$810.00
9/28/2018	David Seligman	Discussion with co-counsel related to third-party discovery.	\$450.00 hr	1.00	\$450.00
10/1/2018	David Seligman	Call re: expert analysis re: [REDACTED]	\$450.00 hr	1.00	\$450.00
10/2/2018	Deborah Schaffer	PHV DHS application.	\$125.00 hr	0.80	\$100.00
10/10/2018	David Seligman	Review expert analysis [REDACTED]	\$450.00 hr	0.30	\$135.00
10/12/2018	David Seligman	Analyze named plaintiff reports regarding [REDACTED]	\$450.00 hr	1.80	\$810.00
10/16/2018	David Seligman	Draft and file stipulation regarding extension of time to file expert reports re: [REDACTED]	\$450.00 hr	1.20	\$540.00
10/28/2018	David Seligman	Review expert analysis re: [REDACTED] and email co-counsel.	\$450.00 hr	2.20	\$990.00
11/3/2018	David Seligman	Review draft expert report re: [REDACTED].	\$450.00 hr	1.50	\$675.00
11/4/2018	David Seligman	Review and follow up discussion re: draft expert report with co-counsel.	\$450.00 hr	1.20	\$540.00
2/7/2019	Deborah Schaffer	Calls with Elsie Compo.	\$125.00 hr	0.60	\$75.00
2/14/2019	Deborah Schaffer	Calls with Elsie Compo and DHS.	\$125.00 hr	1.20	\$150.00
2/25/2019	Deborah Schaffer	Meeting with Elsie Compo.	\$125.00 hr	1.40	\$175.00
3/18/2019	Deborah Schaffer	Client contact and requests for production.	\$125.00 hr	1.00	\$125.00
3/19/2019	Deborah Schaffer	Client contact and requests for production.	\$125.00 hr	1.40	\$175.00
3/21/2019	Deborah Schaffer	Client contact and requests for production.	\$125.00 hr	1.10	\$137.50
3/20/2019	Deborah Schaffer	Client contact and requests for production.	\$125.00 hr	2.00	\$250.00
3/22/2019	Deborah Schaffer	Client contact and requests for production.	\$125.00 hr	2.70	\$337.50
3/26/2019	Deborah Schaffer	Client contact re: work history and requests for production.	\$125.00 hr	5.30	\$662.50
3/25/2019	Deborah Schaffer	Client contact re: work history and requests for production.	\$125.00 hr	1.80	\$225.00
3/27/2019	Deborah Schaffer	Call with Elsie Compo about ROGs	\$125.00 hr	1.50	\$187.50
3/28/2019	Deborah Schaffer	Client contact and requests for production.	\$125.00 hr	2.30	\$287.50
03/24/2019	David Seligman	Research re: Depo Location	\$450.00 hr	2.00	\$900.00
03/24/2019	David Seligman	Draft letter re: Depo Location	\$450.00 hr	4.30	\$1,935.00
04/01/2019	David Seligman	Meet with DS to discuss discovery responses.	\$450.00 hr	2.00	\$900.00
04/03/2019	David Seligman	Review discovery with DS	\$450.00 hr	2.00	\$900.00
04/08/2019	Deborah Schaffer	PHV updates.	\$125.00 hr	0.20	\$25.00
04/09/2019	Deborah Schaffer	Call with Elsie Compo.	\$125.00 hr	0.50	\$62.50
04/11/2019	Deborah Schaffer	Call with Elsie Compo regarding discovery.	\$125.00 hr	2.50	\$312.50
04/12/2019	Deborah Schaffer	Review discovery and signature with Elsie Compo.	\$125.00 hr	3.40	\$425.00
05/22/2019	Deborah Schaffer	Call with Elsie Compo regarding discovery.	\$125.00 hr	0.30	\$37.50
06/05/2019	Juno Turner	Review mediation statement.	\$700.00 hr	0.30	\$210.00
06/05/2019	Juno Turner	Review correspondence from co-counsel [REDACTED]	\$700.00 hr	0.10	\$70.00
06/07/2019	Juno Turner	Review memo regarding potential new claims.	\$700.00 hr	0.40	\$280.00
06/09/2019	David Seligman	Review mediation statement.	\$450.00 hr	2.00	\$900.00
06/10/2019	David Seligman	Attend mediation.	\$450.00 hr	9.10	\$4,095.00
06/10/2019	Juno Turner	Attend mediation.	\$700.00 hr	7.50	\$5,250.00
06/17/2019	Deborah Schaffer	Texts with Elsie Compo regarding update.	\$125.00 hr	0.20	\$25.00
06/17/2019	Juno Turner	Review correspondence re [REDACTED], update on settlement discussions, agenda for call with co-counsel.	\$700.00 hr	0.20	\$140.00

06/18/2019	Deborah Schaffer	Meeting with Elsie Compo.	\$125.00 hr	1.10	\$137.50
6/19/2019	David Seligman	Review declaration.	\$450.00 hr	1.10	\$520.00
06/19/2019	Juno Turner	Review draft [REDACTED] and correspond with DHS re same.	\$700.00 hr	0.10	\$70.00
06/19/2019	Juno Turner	Call with co-counsel re status of settlement discussions, discovery strategy.	\$700.00 hr	0.90	\$630.00
06/20/2019	David Seligman	Call with co-counsel re: research strategy.	\$450.00 hr	1.00	\$450.00
06/21/2019	David Seligman	Meet with Beth Terrell re: FCRA.	\$450.00 hr	1.20	\$540.00
06/21/2019	David Seligman	Review mediation statement.	\$450.00 hr	1.00	\$450.00
06/21/2019	Juno Turner	Meeting with DHS, CEO, law clerks re research memos and document review.	\$700.00 hr	0.70	\$490.00
07/01/2019	Juno Turner	Correspond with co-counsel re [REDACTED]	\$700.00 hr	0.10	\$70.00
07/03/2019	Deborah Schaffer	Call with Elsie Compo.	\$125.00 hr	0.30	\$37.50
07/08/2019	Deborah Schaffer	Call with Elsie Compo.	\$125.00 hr	0.20	\$25.00
07/08/2019	Juno Turner	Review memo re [REDACTED].	\$700.00 hr	0.20	\$140.00
07/09/2019	Juno Turner	Review correspondence from Beth Terrell re potential expert.	\$700.00 hr	0.10	\$70.00
07/09/2019	Juno Turner	Call with co-counsel, DHS re potential experts, document review, and mediation strategy.	\$700.00 hr	0.40	\$280.00
07/11/2019	Juno Turner	Review correspondence from co-counsel re review of defendant's document production.	\$700.00 hr	0.10	\$70.00
08/05/2019	Juno Turner	Review correspondence re potential [REDACTED]	\$700.00 hr	0.20	\$140.00
08/06/2019	Deborah Schaffer	Call with Elsie Compo.	\$125.00 hr	0.30	\$37.50
08/07/2019	Deborah Schaffer	Call with Elsie Compo.	\$125.00 hr	0.20	\$25.00
08/08/2019	Deborah Schaffer	Investigation re: additional Elsie Compo claims.	\$125.00 hr	0.90	\$112.50
08/09/2019	Deborah Schaffer	Research re: claims.	\$125.00 hr	3.50	\$437.50
08/09/2019	Deborah Schaffer	Research re: claims.	\$125.00 hr	1.10	\$137.50
08/09/2019	Deborah Schaffer	Background check work.	\$125.00 hr	0.80	\$100.00
08/09/2019	Juno Turner	Call with DS re review of [REDACTED].	\$700.00 hr	1.20	\$840.00
08/13/2019	Deborah Schaffer	[REDACTED] background check research.	\$125.00 hr	2.40	\$300.00
08/14/2019	Deborah Schaffer	[REDACTED] background check research.	\$125.00 hr	2.00	\$250.00
08/14/2019	Deborah Schaffer	[REDACTED] background check research.	\$125.00 hr	1.60	\$200.00
08/15/2019	Juno Turner	Review correspondence from M. Drake re pre-mediation call with M. O'Neill and review attached case.	\$700.00 hr	0.20	\$140.00
08/15/2019	Juno Turner	Correspond with DHS and co-counsel re review of background checks.	\$700.00 hr	0.10	\$70.00
08/16/2019	Juno Turner	Review memo to expert re [REDACTED]	\$700.00 hr	0.10	\$70.00
08/16/2019	Juno Turner	Call with DHS re mediation.	\$700.00 hr	0.10	\$70.00
08/26/2019	Juno Turner	Correspond with co-counsel team re mediation statement.	\$700.00 hr	0.10	\$70.00
08/27/2019	Juno Turner	Review mediation statement.	\$700.00 hr	0.20	\$140.00
10/10/2019	Deborah Schaffer	Phone card work.	\$125.00 hr	0.20	\$25.00
10/30/2019	Juno Turner	Call, correspondence with DS re updating discovery responses for Elsie Compo.	\$700.00 hr	0.20	\$140.00
10/31/2019	Deborah Schaffer	Comparison of interview notes, RFA, and background check.	\$125.00 hr	2.50	\$312.50
11/01/2019	Juno Turner	Call with DS re preparing amended discovery responses.	\$700.00 hr	0.30	\$210.00
11/01/2019	Deborah Schaffer	ROGs supplement draft.	\$125.00 hr	0.50	\$62.50
11/01/2019	Deborah Schaffer	Discussion with JT.	\$125.00 hr	0.30	\$37.50
11/01/2019	Deborah Schaffer	Calls with EC and work on her addresses.	\$125.00 hr	1.00	\$125.00
11/07/2019	Deborah Schaffer	work on supplementary ROGS.	\$125.00 hr	0.90	\$112.50
11/11/2019	Deborah Schaffer	ROG and RFP review.	\$125.00 hr	1.00	\$125.00

11/11/2019	Deborah Schaffer	Texts with Elsie Compo.	\$125.00 hr	0.30	\$37.50
11/11/2019	David Seligman	Review of discovery.	\$450.00 hr	2.30	\$1,035.00
11/12/2019	Deborah Schaffer	Texts and calls with Elsie Compo. Research for updates to RFPs.	\$125.00 hr	1.70	\$212.50
11/13/2019	David Seligman	Review of discovery .	\$450.00 hr	1.90	\$855.00
11/13/2019	Juno Turner	Correspond with DHS, DS re plaintiff discovery responses.	\$700.00 hr	0.10	\$70.00
11/13/2020	Juno Turner	Email regarding discovery responses.	\$700.00 hr	0.30	\$210.00
11/13/2019	Deborah Schaffer	Follow up with Elsie Compo regarding discovery responses.	\$125.00 hr	0.30	\$37.50
11/19/2019	Deborah Schaffer	RFP review and supplement with JT.	\$125.00 hr	0.90	\$112.50
11/19/2019	Juno Turner	Call, correspondence with DS re revised discovery responses.	\$700.00 hr	0.60	\$420.00
11/19/2020	David Seligman	Call w/JT re: discovery responses.	\$450.00 hr	0.60	\$270.00
11/20/2019	Juno Turner	Teleconference with DHS re plaintiff discovery responses.	\$700.00 hr	0.10	\$70.00
11/21/2019	Deborah Schaffer	Draft letter.	\$125.00 hr	0.90	\$112.50
11/25/2019	Juno Turner	Review correspondence from co-counsel re [REDACTED]	\$700.00 hr	0.10	\$70.00
12/1/2019	David Seligman	Review draft expert reports.	\$450.00	1.90	\$855.00
12/09/2019	Juno Turner	Review draft expert reports.	\$700.00 hr	0.30	\$210.00
12/09/2019	Juno Turner	Review letter from Michael O'Neil re [REDACTED]	\$700.00 hr	0.10	\$70.00
12/10/2019	Juno Turner	Correspond with co-counsel re meet and confer re [REDACTED]	\$700.00 hr	0.10	\$70.00
12/12/2019	Juno Turner	Review revisions to draft expert reports and correspond with co-counsel re same.	\$700.00 hr	0.40	\$280.00
12/13/2019	Juno Turner	Call with co-counsel re mediation strategy and correspond with DHS re same.	\$700.00 hr	0.60	\$420.00
12/18/2019	Juno Turner	Attend mediation.	\$700.00 hr	10.00	\$7,000.00
01/02/2020	Deborah Schaffer	Elsie Compo texts and correspondence with DHS.	\$125.00 hr	0.40	\$50.00
01/03/2020	Deborah Schaffer	Texts with Elsie Compo.	\$125.00 hr	0.20	\$25.00
01/06/2020	Deborah Schaffer	Texts with Elsie Compo.	\$125.00 hr	0.20	\$25.00
02/03/2020	Juno Turner	Call with co-counsel, defense counsel re revisions to settlement agreement.	\$700.00 hr	1.00	\$700.00
02/03/2020	David Seligman	Call with co-counsel, defense counsel re revisions to settlement agreement.	\$450.00 hr	1.00	\$450.00
02/11/2020	Deborah Schaffer	Texts with Elsie Compo.	\$125.00 hr	0.20	\$25.00
03/02/2020	Deborah Schaffer	Calendaring and client text.	\$125.00 hr	0.20	\$25.00
3/2/2020	David Seligman	Call with Elsie Compo regarding settlement	\$450.00 hr	1.20	\$540.00
03/04/2020	Deborah Schaffer	Call with Elsie Compo.	\$125.00 hr	0.30	\$37.50
03/30/2020	Juno Turner	Correspond with co-counsel re revisions to settlement agreement.	\$700.00 hr	0.20	\$140.00
Total Labor				216.10	\$85,475.00

Exhibit 3 to Seligman Declaration

Towards Justice Billing; Gambles v. Sterling

Date Start: 12/1/2016 | Date End: 6/19/2020 |

FCRA

Date	Memo/Description	Account	Amount
05/02/2017	Pro Hac Vice Costs including Certificates of Good Standing	Client Costs:FCRA Costs	60.00
06/12/2017	Admission Fee	Client Costs:FCRA Costs	200.00
4/2/2019	Phone Cards to Client for the Purpose of Attorney Communications	Client Costs:FCRA Costs	175.00
05/01/2019	Flight to NY for DHS	Client Costs:FCRA Costs	554.80
Total for FCRA Costs			\$ 989.80