

Exhibit C

From: Blunschi, Melanie (Bay Area)
Sent: Tuesday, February 23, 2021 2:40 PM
To: John Yanchunis x2191
Cc: atadler@tadlerlaw.com; Ryan McGee x3030; afriedman@cohenmilstein.com; dmcnamara@cohenmilstein.com; ajd@tadlerlaw.com; Karina Puttieva; Clubok, Andrew (DC); Turner, Serrin (NY); Hansen, Joseph (Bay Area); Caldwell, Sheridan (Bay Area)
Subject: RE: *EXT* RE: Adkins v. Facebook - support for attorneys' fee motion

Thanks so much for the quick reply, John. Is it correct that those exhibits are all that Ms. Ellis occurred, or is there additional information that she relied on for her opinions?

Unfortunately Exhibits 318-2 through 318-18 still only describe activities at the litigation code level, not the project level. (Those are actually the exhibits that prompted us to send our initial note.) For example, those exhibits list how much each firm spent on all depositions total, but there is no way to figure out whose depositions are being included (e.g., does it include time for the depositions for plaintiffs who withdrew their claims? does it include time related to the Schmidt deposition that did not occur?).

As explained in *Etter v. Allstate Ins. Co.*, No. 17-00184 (N.D. Cal. Aug. 28, 2018), "project level" means setting forth the hours for "a deposition, a motion, a witness interview, and so forth. It does not mean generalized statements like 'trial preparation' or 'attended trial.' It includes discrete items like 'prepare supplemental trial brief on issue X.'" *Allstate* at 2. Are Plaintiff's counsel willing to provide that level of detail?

If it would be helpful to hop on the phone to discuss, please feel free to give me a ring at your convenience at 213-880-3504.

Thanks very much,
Melanie

Melanie M. Blunschi

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From: John Yanchunis x2191 <JYanchunis@ForThePeople.com>
Sent: Tuesday, February 23, 2021 2:24 PM
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Subject: Re: *EXT* RE: Adkins v. Facebook - support for attorneys' fee motion

Melanie, what we provided at exhibits 318-2 through 318-18 is the project level detail.

John Yanchunis
Attorney
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On Feb 23, 2021, at 5:10 PM, Melanie.Blunsch@lw.com wrote:

CAUTION: Use caution when clicking on links or opening attachments in this external email.

Hi John,

I know we've been playing a bit of phone tag, so I'm following up with an email in hopes that we can get on the same page as to Plaintiff's counsel's fee and cost documentation. Is the additional spreadsheet that your team filed the complete set of time records that Ms. Ellis reviewed? If not, can you promptly provide what she relied upon in order to form her opinions? The categories in the spreadsheet still do not provide project-level data that is required under the *Allstate* decision and otherwise.

Thanks very much,
Melanie

Melanie M. Blunsch

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From: Blunsch, Melanie (Bay Area)

Sent: Saturday, February 13, 2021 9:31 AM

To: 'Ariana Tadler' <atadler@tadlerlaw.com>; 'J Yanchunis' <jyanchunis@forthepeople.com>; 'R McGee' <rmcgee@forthepeople.com>; 'A Friedman' <afriedman@cohenmilstein.com>; 'D McNamara' <dmcnamara@cohenmilstein.com>; 'AJ de Bartolomeo' <ajd@tadlerlaw.com>; 'K Puttieva' <kputtieva@cohenmilstein.com>

Cc: Clubok, Andrew (DC) <Andrew.Clubok@lw.com>; Turner, Serrin (NY) <Serrin.Turner@lw.com>; Hansen, Joseph (Bay Area) <Joseph.Hansen@lw.com>; Caldwell, Sheridan (Bay Area) <Sheridan.Caldwell@lw.com>

Subject: RE: Adkins v. Facebook - support for attorneys' fee motion

Hi, all –

Can you please confirm that the additional back-up is forthcoming and let us know when to expect it? Since Ms. Ellis's declaration suggests that she's already looked at the detailed support, we're hopeful that should be relatively easy to share with us as well.

Thanks,
Melanie

Melanie M. Blunski

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From: Blunski, Melanie (Bay Area)
Sent: Wednesday, February 10, 2021 4:32 PM
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Cc: Clubok, Andrew (DC) <Andrew.Clubok@lw.com>; Turner, Serrin (NY) <Serrin.Turner@lw.com>; Hansen, Joseph (Bay Area) <Joseph.Hansen@lw.com>; Caldwell, Sheridan (Bay Area) <Sheridan.Caldwell@lw.com>
Subject: Adkins v. Facebook - support for attorneys' fee motion

John, Ariana, Andy,

We are reviewing Plaintiff's motion for attorneys' fees, but it appears to be lacking necessary supporting documentation. We've now been through the 21 declarations, but there is unfortunately no way to assess how much time was spent by whom on a project-level basis. So, for example, we might be able to tell how many hours total were expended on all depositions combined, but there is no way to confirm whether time is being included for plaintiffs who withdrew their claims or who refused at the last minute to sit for deposition.

This level of detail is necessary for Facebook and the class to assess whether Plaintiff's counsel's request is reasonable, and the Court will likewise need this information to rule on Plaintiff's motion. Judge Alsup generally requires time records to be organized by discrete projects, including a "detailed description of the work, giving the date, hours expended, attorney name, and task for each work entry, in chronological order." Order re Attorney's Fees and Costs (Dkt. 141), *Etter v. Allstate Ins. Co.*, No. 17-00184 (N.D. Cal. Aug. 28, 2018) (Alsup, J.); *see also McLaughlin v. Wells Fargo Bank*, 2017 WL 994969 (N.D. Cal. Mar. 15, 2017) (Alsup, J.). That information should be provided at a project-level basis, which means setting forth the hours for "a deposition, a motion, a witness interview, and so forth. It does not mean generalized statements like 'trial preparation' or 'attended trial.' It includes discrete items like 'prepare supplemental trial brief on issue X.'" *Allstate* at 2.

It appears that counsel provided their expert, Randi S. Ellis, with an excel spreadsheet that might be able to shed light on this issue. *See* Decl. of Randi S. Ellis, at 3. That information should be shared with us and submitted for the Court's and class's consideration, especially since that appears to be information that Ms. Ellis relied upon in forming her opinions. Please send that right away, along with a project-level breakdown of hours and expenses in chronological order, which makes clear which attorneys billed to which projects and for what amount of time if that is not clear from the spreadsheet. We look forward to receiving that information by **Friday, February 12**, in hopes that we can resolve these issues promptly. Not only is our response due in short order, but the class needs notice in advance of their objection deadlines as well.

Best regards,
Melanie

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