

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: RAILWAY INDUSTRY)	Master Docket Misc. No. 18-798
EMPLOYEE NO-POACH ANTITRUST)	
LITIGATION)	MDL No. 2850
)	
This Document Relates to:)	
ALL ACTIONS)	

**DECLARATION OF MATTHEW A. KUPILLAS IN SUPPORT OF
CLASS COUNSEL’S MOTION FOR ATTORNEY’S FEES, COSTS,
AND SERVICE AWARDS**

I, Matthew A. Kupillas, declare as follows:

1. I am a partner of Milberg Phillips Grossman LLP (the “Firm”). I submit this declaration in support of Class Counsel’s motion for attorneys’ fees, costs, and service awards. The time expended in preparing this declaration is not included in the motion for attorneys’ fees.
2. Milberg Phillips Grossman LLP is an internationally recognized law firm dedicated to defending victims of corporate and other large-scale wrongdoing. Since the firm’s founding in 1965, it has repeatedly taken the lead in landmark cases that have set groundbreaking legal precedents, prompted changes in corporate governance, and recovered over \$50 billion in verdicts and settlements.
3. I have reviewed the Court’s November 6, 2018 Order Appointing Interim Lead Class Counsel (Dkt. 106) (“Order”), including in particular the Order’s provisions regarding fees, costs, and expenses. The Firm has adhered to those provisions and to guidance received throughout the litigation from Class Counsel regarding timekeeping and expense reporting.
4. During the course of this litigation, the Firm has been involved in the following activities on behalf of the Settlement Class:

- a. The Firm performed comprehensive factual and legal research into the facts underlying this lawsuit and the potential claims that could be asserted, and based on that research, drafted and filed a complaint against certain defendants on behalf of plaintiff Joseph Castagno, which was consolidated with the above-captioned litigation.

5. Summary of Time and Expenses. During the course of this litigation, the Firm performed 29 hours of work in connection with this litigation. Based upon the Firm's current hourly rates, the lodestar value of the time is \$19,447.50. The chart below indicates the attorneys and paralegals at my firm who worked on this litigation, the number of hours worked, and their respective lodestar values and hourly rates. This information was based on contemporaneous, daily time records regularly prepared and maintained by the Firm, as provided to, reviewed and approved by Lead Counsel.

<u>Timekeeper</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Lodestar</u>
McKenna, Elizabeth (Partner)	0.20	\$750.00	\$150.00
Kelston, Henry (former Partner)	0.60	\$700.00	\$420.00
Kupillas, Matthew (Partner)	3.20	\$700.00	\$2,240.00
Rado, Andrei (Partner)	22.70	\$700.00	\$15,890.00
Joseph, Jason (Paralegal)	2.30	\$325.00	\$747.50
<u>Total:</u>	29.00		\$19,447.50

6. All of the services performed by the Firm in connection with this litigation and described above were reasonably necessary in the prosecution of this case. There has been no unnecessary duplication of services for which the Firm now seeks compensation. The lodestar calculations exclude time spent reading or reviewing work prepared by others or other information concerning this case unless related to preparation for, or work on, a matter

specifically assigned to the Firm by Class Counsel. The rates at which the Firm seeks compensation are its usual and customary hourly rates charged for similar work.

7. This Firm has not received any compensation for the services rendered on behalf of the Class, and any such compensation is wholly contingent on the Court's approval of Class Counsel's motion for attorney's fees. My firm has devoted substantial time and resources to this matter, and for that reason has foregone other legal work for which it would have been compensated.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles, California on May 2, 2020.

By: /s/ Matthew A. Kupillas

Matthew A. Kupillas