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UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JACKIE FITZHENRY-RUSSELL, on  
behalf of herself, the general public and  
those similarly situated,

Plaintiff,

v.

The COCA-COLA COMPANY,

Defendant.

Case No. 5:17-cv-00603-EJD

**SUPPLEMENTAL DECLARATION OF  
ADAM J. GUTRIDE IN SUPPORT OF  
PLAINTIFFS' MOTION FOR APPROVAL  
OF CLASS ACTION SETTLEMENT**

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1 I, Adam Gutride, declare and state that:

2 1. I am an attorney licensed to practice law in the State of California and in this Court,  
3 and a partner in Gutride Safier LLP (“GSLLP” or “Firm”). My firm is counsel of record for Plaintiff  
4 Jackie Fitzhenry-Russell and Proposed Intervenors David Swartz, Ashley Salcedo, Scott Miller,  
5 Isabelo Pascual, Florin Carlin and Kristina Hoffman (collectively, “Plaintiffs”) in the above  
6 captioned matter against The Coca-Cola Company (“Coca-Cola” or “Defendant”). I submit this  
7 supplemental declaration in support of Plaintiffs’ Motion for Approval of Class Settlement. Unless  
8 otherwise noted, I have personal knowledge of the facts set forth in this declaration and could and  
9 would testify competently to them if called upon to do so.

10 **A. Additional Efforts to Notify Class**

11 2. GSLLP has worked diligently to ensure that notice is delivered to class members and  
12 to ensure that the maximum possible number of claims are filed. My partner Ms. McCrary  
13 reviewed, tested, and requested changes to several initial versions of the Settlement Website,  
14 including improving the clarity and operation of the claim form and debugging certain aspects of  
15 the claim processing. During the notice period, Ms. McCrary had more than a dozen email  
16 correspondence with the claim administrator to discuss improvements to the notice program and the  
17 claim process, to increase the claim rate. Among other things, Ms. McCrary demanded that the  
18 claims administrator take the steps described below to stimulate claims. Ms. McCrary also carefully  
19 monitored weekly reports about notice and claims. Ms. McCrary also responded to numerous  
20 inquiries from class members about the settlement and filings claims. Further, GSLLP posted about  
21 the Settlement on its Facebook page and the website TopClassActions.com provided information  
22 about the settlement to its 1.5 million monthly viewers.

23 3. At GSLLP’s request, the claims administrator also took steps to stimulate claims. In  
24 particular, the claims administrator utilized Facebook Retargeting to show additional advertisements  
25 to individuals who either visited the Settlement Website landing page and did not file a claim or  
26 started a claim form and did not submit it. The claims administrator also requested that the website  
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1 TopClassActions.com give the Settlement “Primary Newsletter Focus,” which featured the  
2 settlement in the website’s bi-weekly newsletter sent to over 770,000 subscribers.

3 **D. Updated Lodestar and Expenses for GSSLP**

4 4. My prior declaration included GSSLP’s lodestar based on time billed through April  
5 31, 2019. Since that date, GSSLP has spent an additional 82.6 hours working on this case, including  
6 (1) finalizing the settlement papers (2) drafting the motion to approve the settlement and supporting  
7 declarations and appearing at the preliminary approval hearing; (3) implementing the settlement,  
8 including working with the claim administrator and responding to class members as described  
9 above; and (4) drafting the reply in support of final approval and the amended final approval order.  
10 The table below reflects GSSLP’s updated lodestar. However, because GSSLP timekeepers are not  
11 required to finalize their time entries until end of the month, there are likely additional hours not yet  
12 in the system for the current month. The hourly rates shown in the table below for the attorneys and  
13 paralegals at GSSLP are the same as the regular rates charged in 2018 for their services in other  
14 litigation.

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<b>Timekeeper</b>	<b>Hours</b>	<b>Rate</b>	<b>Total</b>
Adam J. Gutride	103.3	\$1,025	\$105,882.50
Seth A. Safier	161.7	\$1,025	\$165,742.50
Marie McCrary	164.2	\$900	\$147,780.00
Todd Kennedy	7.2	\$850	\$6,120.00
Kristen Semplicio	11.3	\$825	\$9,322.50
Anthony Patek	6.7	\$825	\$5,527.50
Steven Raab	4.6	\$825	\$3,795.00
Matt McCrary	321.8	\$825	\$265,485.00
Rajiv Thairani	1.8	\$600	\$1,080.00
Jessica Kagansky	118.4	\$550	\$65,120.00
Kyle Wilson	5.6	\$450	\$2,520.00
Ashley Garcia	62	\$275	\$17,050.00
Jennifer Gardner	6.5	\$225	\$1,462.50
<b>TOTAL</b>	<b>975.1</b>		<b>\$796,887.50</b>

5. As I stated in my May 9, 2019 declaration filed in support of Plaintiff's Motion for Preliminary Approval, expenses are accounted for and billed separately and are not duplicated in my professional billing rate, as stated in my prior declaration. GSSLP has not received reimbursement for expenses incurred in connection with this litigation. In my May 9, 2019 declaration, I stated that as of April 31, 2019, GSSLP had incurred a total of \$70,805.52 in unreimbursed actual third-party expenses in connection with the prosecution of this case. Since then, my bookkeeping staff has updated our accounting records, and determined that GSSLP has incurred an additional \$3,015.63 in unreimbursed unreimbursed actual third-party expenses in connection with the prosecution of this case (for a total of \$73,821.15 in expenses). The actual expenses incurred in the prosecution of this case are reflected on the computerized accounting records of my firm prepared by bookkeeping staff, based on receipts and check records, and

1 accurately reflect all actual expenses incurred. A complete breakdown of all the supplemental  
2 expenses is attached as **Exhibit A**.

3 I declare under penalty of perjury under the laws of the state of California that the foregoing  
4 is true of my own personal knowledge.

5 Executed at Berkeley, California, this 19th day of September, 2019.

6 /s/ Adam J. Gutride  
7 Adam J. Gutride, Esq.

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Case 5:17-cv-00603-EJD Document 91-1 Filed 09/19/19 Page 6 of 6  
**Exhibit A**  
**Gutride Safier, LLP**  
**Profit & Loss by Class**

	Seagram's		All Transactions		
<b>Expense</b>					
<b>Delivery Svcs &amp; Msgrs (E107)</b>	231.52				
		4/12/19	Lone Star Legal LLC	Courtesy copy of filing USDC, San Jose	75.65
		5/13/19	Lone Star Legal LLC	Courtesy copy of filing USDC, San Jose	155.87
					231.52
<b>Deposition Transcripts (E115)</b>	2,150.60				
		9/28/18	Veritext Corp.	Deposition transcript of J. Michael Dennis	2,150.60
<b>Litigation Sup Vendors (E118)</b>	335.72				
		5/2/19	CS Disco	Data Management	37.19
		6/2/19	CS Disco	Data Management	118.36
		7/2/19	CS Disco	Data Management	58.94
		8/2/19	CS Disco	Data Management	33.22
			CS Disco	Data Management	88.01
					335.72
<b>Local Travel (E109)</b>	18.00				
		6/12/19	Block Parking Lot	A. Gutride, Preliminary Approval Hearing	18.00
					18.00
<b>Meals (E111)</b>	27.91				
		6/11/19	Starbucks	Marie McCrary - Preliminary Approval Hrg	1.32
		6/11/19	Panda - Main Terminal	Marie McCrary - Preliminary Approval Hrg	2.58
		6/11/19	The Farmers Union, San Jose	Marie McCrary - Preliminary Approval Hrg	15.16
		6/12/19	Caffe Frascati, San Jose	Marie McCrary - Preliminary Approval Hrg	2.53
		6/12/19	Starbucks	Marie McCrary - Preliminary Approval Hrg	2.05
		6/12/19	San Francisco Soup Company	Marie McCrary - Preliminary Approval Hrg	4.27
					27.91
<b>Online Research (E106)</b>	2.40				
		4/12/19	Pacer Service Center	Marie McCrary's Pacer searches	1.50
		8/6/19	Pacer Service Center	K. Simplicio's Pacer searches	0.90
					2.40
<b>Out-of-Town Travel (E110)</b>	249.48				
		6/4/19	United Air	Marie McCrary - Preliminary Approval Hrg	3.75
		6/4/19	United Air	Marie McCrary - Preliminary Approval Hrg	111.15
		6/4/19	Hotels.com	Marie McCrary - Preliminary Approval Hrg	93.34
		6/12/19	Uber Trip	Marie McCrary - Preliminary Approval Hrg	1.80
		6/12/19	Uber Trip	Marie McCrary - Preliminary Approval Hrg	3.86
		6/13/19	DIA Parking Operations	Marie McCrary - Preliminary Approval Hrg	12.50
		6/13/19	Uber Trip	Marie McCrary - Preliminary Approval Hrg	8.55
		6/14/19	Mileage to Airport	Marie McCrary - Preliminary Approval Hrg	14.53
					249.48
<b>Total Expenses</b>	<b>3,015.63</b>				