

EXHIBIT I

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re WELLBUTRIN XL
ANTITRUST LITIGATION

)
)
) Civil Action No.: 2:08-cv-2433
)

THIS DOCUMENT RELATES TO:

) Honorable Mary A. McLaughlin
)

INDIRECT PURCHASER ACTIONS

**DECLARATION OF JOSHUA D. SNYDER IN SUPPORT OF PLAINTIFFS'
APPLICATION FOR ATTORNEYS' FEES, EXPENSES AND INCENTIVE AWARDS**

I, Joshua D. Snyder, declare as follows:

1. I am an attorney in good standing, duly licensed and admitted to practice in the Commonwealth of Pennsylvania, and a partner in the law firm of Boni & Zack LLC. I have personal knowledge of the facts stated in this declaration and, if called as a witness, I could and would testify competently to them. I make this declaration in support of my firm's request for attorneys' fees and reimbursement of litigation expenses, as set forth in Plaintiffs' Application for Attorneys' Fees, Expenses and Incentive Awards.

2. My firm is counsel of record in this case, and represents Bricklayers and Masons Local Union No. 5 Ohio Health and Welfare Fund. A brief description of my firm is attached as Exhibit 1 and incorporated herein by reference.

3. My firm kept files contemporaneously documenting all time spent, including tasks performed, and expenses incurred, and transmitted a summary of those reports to Co-Lead Class Counsel on a regular basis. All of the time and expenses reported by my firm were incurred for the benefit of the Indirect-Purchaser Plaintiffs (IPPs).

4. During the course of this litigation, my firm has been involved in a multitude of tasks and activities on behalf of the IPPs. These tasks and activities were performed in coordination with and/or at the direction of co-lead counsel. Such tasks included, but were not

limited to: fact investigation and the filing of an initial complaint, responding to motions to dismiss, and conducting legal research.

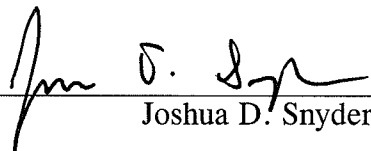
5. My firm submitted our detailed time records to Co-Lead Class Counsel for submission to the Court *in camera*. These contemporaneous time records were regularly prepared and maintained by my firm. The hourly rate included in Exhibit 2 is my current rate, which is the usual and customary hourly rate charged for my professional services in similar complex litigation. These time records do not include any time devoted to preparing this declaration or otherwise pertaining to the Fee Petition.

6. The total number of hours reasonably expended on this litigation by my firm from inception to April 30, 2013 is 22.50 hours. The total lodestar for my firm at current rates is \$12,375.00. Expense items are billed separately and are not duplicated in my firm's lodestar.

7. The expenses my firm incurred in litigating this action are reflected in the books and records of my firm. These books and records are prepared from expense vouchers, receipts, check records and other source materials and accurately reflect the expenses incurred.

8. My firm incurred a total of \$782.81 in unreimbursed expenses, all of which were reasonable and necessary for the prosecution of this litigation. These expenses include court filing fees, copying, legal research, postage, and travel expenses. A summary of expenses by category is attached as Exhibit 3.

I declare under penalty of perjury under the laws of the United States and the Commonwealth of Pennsylvania that the foregoing is true and correct. Executed this 14th day of May, 2013, in Bala Cynwyd, Pennsylvania.



Joshua D. Snyder

EXHIBIT 1

BONI & ZACK LLC

Firm Resume

Boni & Zack LLC, is a law firm in Bala Cynwyd, Pennsylvania, founded in March 2007. Boni & Zack focuses on class action and complex litigation under antitrust, intellectual property, consumer and securities laws.

Boni & Zack currently serves as lead counsel or on plaintiffs' Executive Committee in the following cases: *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litig.*, MDL No. 1720; *In re Freelance Works in Literary Databases Copyright Litig.*, MDL No. 1379 (S.D.N.Y.); *The Authors Guild, et al. v. Google Inc.*, No. 05-CV-8136 (S.D.N.Y.); and *In re Apple In-App Purchase Litig.*, No. 11-CV-1758-EJD (N.D. Cal.).

In addition, Boni & Zack is currently representing plaintiffs in the following actions, among others: *In re Transitions Lenses Antitrust Litig.*, MDL No. 2173 (M.D. Fla.); *In re Optical Disk Drive Products Antitrust Litig.*, MDL No. 2143; *In re Blood Reagents Antitrust Litig.*, MDL No. 2081; *In re Refrigerant Compressors Antitrust Litig.*, MDL No. 2042 (E.D. Mich.); *In re Fasteners Antitrust Litig.*, MDL No. 1912 (E.D. Pa.); *In re Rail Freight Fuel Surcharge Antitrust Litig.*, MDL No. 1869 (D.D.C.); *In re Urethane Antitrust Litig. (Polyether Polyols)*, MDL No. 1616 (D. Kan.); *In re Chocolate Confectionary Antitrust Litig.*, MDL No. 1935 (M.D. Pa.); *Standard Iron Works v. Arcelormittal, et al.*, 08-CV-5214 (N.D. Ill.); and *In re Wellbutrin XL Antitrust Litig.*, 08-CV-2433 (E.D. Pa.).

Michael J. Boni founded Boni & Zack LLC in March 2007 after practicing complex commercial litigation for nearly 20 years. He specializes in antitrust, copyright, consumer, shareholder and class action litigation.

Mr. Boni graduated from the University of Pennsylvania School of Law, received an M.A. degree in psychology from the University of Connecticut, and received an A.B. degree from Albright College. Mr. Boni is admitted to practice in Pennsylvania, the Supreme Court of the United States, the United States Courts of Appeals for the Second, Third, Sixth and Ninth Circuits, and the United States District Courts for the Eastern District of Pennsylvania, Northern District of California, and Eastern District of Michigan.

Mr. Boni has served as lead counsel in a number of complex matters, including *Authors Guild, et al. v. Google Inc.*, No. 05-CV-8136 (S.D.N.Y.) (copyright infringement class action settlement pending concerning the Google Book Search program); *In re Literary Works in Electronic Databases Copyright Litig.*, MDL No. 1379 (S.D.N.Y.) (copyright class action settlement approved and on appeal); *Random House, Inc. v. Rosetta Books, LLC, et al.*, No. 01-Civ-1728 (S.D.N.Y.) (successful defense against copyright infringement claims brought by Random House against e-book publisher Rosetta Books); *In re Pillar Point Partners Antitrust and Patent Litig.*, MDL No. 1202 (D. Ariz.) (\$50

million antitrust class action settlement); *In re Western States Wholesale Natural Gas Antitrust Litig.*, MDL No. 1566 (D. Nev.) (antitrust class action settlement); *Mikhail, et al. v. Toshiba America Information Systems, Inc.*, No. BC 278163 (Superior Ct. Cal.) (consumer class action settlement); *Anderson v. Toshiba America Information Systems, Inc.*, BC 299977 (Cal. Sup. Ct., L.A. County) (consumer class action settled); *In re Yahoo! Litig.*, CV06-2737-CAS (C.D. Cal.) (class action settlement approved on behalf of Yahoo's advertising customers for alleged unfair business practices); *Next Proteins International v. Radonsky, et al.*, No. BC 304799 (Superior Ct. Cal.) (consumer class action settled); *In re RF Tags Antitrust Litig.*, No. 02-CV-3730 (D.N.J.) (antitrust class action settlement); *Pilkington, et al. v. U.S.Search.com*, No. BC 234858 (Superior Ct. Cal.) (consumer class action settlement); *True Communication, Inc., d/b/a Metrodate.com v. The Gator Corporation*, No. CIV 430620 (Superior Ct. Cal.) (unfair competition class action settled); *Miller v. Pep Boys, Inc., et al.*, No. 0201-41489 (C.C.P. Phila.) (consumer class action settled); *Kleeman v. Verizon Communications Inc., et al.* (consumer class action settled); *In re Rio Hair Naturalizer Products Liability Litig.*, MDL No. 1055 (E.D. Mich.) (product liability class action settlement); *In re AMC Shareholder Derivative Litig.*, No. 12855 (Del. Chancery) (settlement); *Winigrad v. Franklin Electronics*, (Superior Ct. N.J.) (consumer class action settled); *Pacillo v. Philips Electronics*, (Superior Ct. N.J.) (consumer class action settled).

In its opinion granting final settlement approval in *In re Rio Hair Naturalizer Products Liability Litigation*, the court stated that “the work of [lead counsel] and the manner in which they conducted themselves exhibited the very highest level of professionalism and competence in our legal system.” 1996 U.S. Dist. LEXIS 20440, *57 (E.D. Mich. December 20, 1996).

Mr. Boni recently served on the Executive Committee in *In re OSB Antitrust Litig.*, Master File No. 06-CV-00826 (E.D. Pa.) (antitrust class action settlement), and on Plaintiff's Executive Committee in *In re Sovereign Bancorp, Inc. Shareholders Litig.*, Nov. Term 2008, Case 2587 (Phila. C.C.P.) (shareholder class and derivative action settlement pending approval). He presently serves on the Executive Committee of *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litig.*, MDL No. (E.D.N.Y.).

In addition, Mr. Boni has played an integral role in the presentation of other complex matters, including: *In re Relafen Antitrust Litig.*, Master File No. 01-12239 (D. Mass.) (antitrust class action settlement); *In re Disposable Contact Lens Antitrust Litig.*, MDL Docket No. 1030 (M.D. Fla.) (antitrust class action settlement); *Schwab v. America Online, Inc.*, No. 96 CH 13732 (Cook County, Ill.) (consumer class action settlement); *In re Intelligent Electronics, Inc. Securities Litig.*, Master File No. 92-CV-1905 (E.D. Pa.) (securities class action settlement); *In re Lockheed Securities Litig.*, Master File No. CV89-6745-TJH (Bx) (C.D. Ca.) (securities class action settlement); *In re Orion Securities Litig.*, Civil Action No. 91-3304 DT (JRx) (E.D.N.Y.); *In re Budd Pension Plan Litig.*, Master File No. 91-4082 (E.D. Pa.) (ERISA class action settled); *In re Toys “R” Us Antitrust Litig.*, MDL Docket No. 1211 (E.D.N.Y.) (antitrust class action

settlement); *First Eastern Corporation, et al. v. Mainwaring, et al.*, Civil Action No. 92-CV-1176 (RLB) (E.D. Pa.).

Mr. Boni was named one of Pennsylvania's "Super Lawyers" in 2005, 2006, 2007, 2008, 2009, 2010, 2011, and 2012.

Mr. Boni is a past Chair of the Board of Directors of the Anti-Defamation League (Metropolitan Philadelphia Board), and is a member of the Board of Directors of Community Legal Services in Philadelphia and serves on that Board's Leadership Council.

Joshua D. Snyder has been with Boni & Zack LLC since it opened in March 2007 and became a partner in 2008. His practice focuses on complex litigation, including antitrust, consumer protection, copyright, ERISA, and securities class actions.

Mr. Snyder is participating or has participated in the following cases, among others: *In re Apple In-App Purchase Litig.*, No. 11-CV-1758-EJD (N.D. Cal.); *The Authors Guild, et al. v. Google Inc.*, No. 05-CV-8136 (S.D.N.Y.); *In re Automotive Refinishing Paint Antitrust Litig.*, MDL Docket No. 1426 (E.D. Pa.); *In re Freelance Works in Literary Databases Copyright Litig.*, MDL No. 1379 (S.D.N.Y.); *In re OSB Antitrust Litig.*, Civ. A. No. 06-0826 (E.D. Pa.); *In re Payment Card Interchange Fee & Merchant Discount Antitrust Litig.*, No. 05-md-1720 (E.D.N.Y.); *In re Rail Freight Fuel Surcharge Antitrust Litig.*, MDL No. 1869 (D.D.C.); *In re Sovereign Bancorp Inc. Shareholders Litig.*, Nov. Term, 2008, No. 2587 (Phila. Cty. Ct. Common Pleas); *In re Urethane Antitrust Litig. (Polyether Polyols)*, MDL No. 1616 (D. Kan.); *Webster v. Hercules, Inc.*, Civ. A. No. 05-6404 (E.D. Pa.); *In re Western States Wholesale Natural Gas Antitrust Litig.*, MDL No. 1566 (D. Nev.); and *In re Yahoo! Litig.*, No. 06-2737 (C.D. Cal).

Prior to joining Boni & Zack, Mr. Snyder was an associate with Kohn, Swift & Graf, P.C., where his practice also focused on complex litigation. Following law school, he served as a law clerk to the Honorable Berle M. Schiller of the United States District Court for the Eastern District of Pennsylvania and to the Honorable Thomas L. Ambro of the United States Court of Appeals for the Third Circuit.

Mr. Snyder is a graduate of the Pennsylvania State University (B.A., History, B.A. Philosophy 1998) and the Harvard Law School (J.D. 2001), where he was a member of the Harvard Legal Aid Bureau. He has handled a variety of pro bono matters.

Mr. Snyder was named one of Pennsylvania's "Super Lawyers Rising Stars" in 2008, and 2010 through 2012.

EXHIBIT 2

Wellbutrin

TIME REPORT

FIRM NAME: Boni & Zack LLC

REPORTING PERIOD: Inception-April 30, 2013

| Name (Status) | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | Current Hourly Rate | Cumulative Hours | Cumulative Lodestar (at Current Rates) |
|-------------------|-------|---|---|---|---|---|---|------|-----|----|----|----|---------------------|------------------|--|
| Joshua Snyder (P) | 16.25 | | | | | | | 3.75 | 2.5 | | | | 5.50 | 22.5 | \$12,375.00 |
| TOTALS | 16.25 | | | | | | | 3.75 | 2.5 | | | | | 22.5 | \$12,375.00 |

P = Partner A = Associate PL = Paralegal LC = Law Clerk

1. Pleadings and Motions re Pleadings
2. Legal and Other Research
3. Depositions, including Preparation
4. Experts – Retention, Preparation, and Discovery (for any purposes, e.g., consultation, class certification, summary judgment, damage analysis, trial)
5. Non-Deposition Merits and/or Class Discovery-e.g. Interrogatories, Document Requests, Subpoenas, Negotiations and Motions re same, and Document Review and Analysis
6. Class Certification: Briefing and Argument re same
7. Settlement
8. Other Court Appearances and Preparation
9. Case Planning, Organization and Strategy
10. Trial, including Trial Preparation
11. Litigation Strategy
12. Miscellaneous: (Please describe)

EXHIBIT 3

Wellbutrin
EXPENSES REPORT

FIRM NAME: Boni & Zack LLC

REPORTING PERIOD: Inception through April 30, 2013

| DESCRIPTION | CUMULATIVE EXPENSES |
|--|--------------------------------|
| Litigation Fund | |
| Commercial Copies of producing materials on CD (outside source) | |
| Internal Reproduction (Copies) | \$161.60 |
| Court Fees (Filing costs, etc.) | \$430.00 |
| Court Reporters and Transcripts | |
| Computer Research (Lexis/Westlaw) | \$169.91 |
| Telephone/Fax | |
| Long Distance Telephone/Mobile Phone | |
| Postage/Express Delivery/Messenger | \$4.80 |
| Professional Fees (expert, investigator, accountant, etc.) | |
| Witness/Service Fees | |
| Travel (Air Transportation, Ground Travel, Meals, Lodging, etc.) | \$16.50 |
| Miscellaneous/Other (Describe) | |
| TOTAL EXPENSES | \$782.81 |