



keeping current with the developments in the Syngenta litigation, all of which were spent in performing work for the benefit of the Washington Class/Class Members.

3. My firm has incurred costs and expenses in the total amount of \$19,709.12 in connection with generating the notices of a potential class action lawsuit to Washington corn producers, posting advertisements, filing the Class Action Complaint, and meeting with the class representative. Attached hereto as **Exhibit 2** is my firm's accounting detail setting forth all expenses expended in this matter.

4. I am a Seattle trial lawyer. I have practiced law in the state of Washington for 44 years. I am a Fellow of the American College of Trial Lawyers, the International Academy of Trial Lawyers, the International Society of Barristers, and a member of the American Board of Trial Advocates. I was selected by my peers as Best Lawyers 2018 Plaintiffs Seattle Product Liability Litigation Lawyer of the Year, and was the 2010 Washington Defense Trial Lawyers Outstanding Plaintiff Trial Lawyer of the Year. In 1998, I was named Washington State Trial Lawyers Association's Trial Lawyer of the Year.

A significant component of my practice is complex plaintiffs product liability litigation. My practice is a contingent fee based practice, however based on my extensive experience as a trial lawyer in complex litigation and the complexity of issues presented in this action, I believe that my hourly rate of \$750 is reasonable.

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

Executed this the 10<sup>th</sup> day of July, 2018 at Seattle, Washington.

LAW OFFICES OF JAMES S. ROGERS

s/ James S. Rogers

James S. Rogers, WSBA # 5335

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Seattle, WA 98101

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Counsel for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on July 10, 2018, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this court.

LAW OFFICES OF JAMES S. ROGERS

s/ James S. Rogers  
James S. Rogers, WSBA # 5335  
Attorney for Plaintiff

IN RE SYNGENTA AG MIR 162 CORN LITIGATION  
Master File No. 2:14-MD-02591-JWL-JPO  
MDL No. 2591  
(*Gauntt v. Syngenta Seeds, Inc., et al.*, No. 4:17-cv-05166-TOR)

**ATTORNEYS' FEES AND COSTS**  
**(Exhibit 1 to Motion for an Award of Fees and Expenses)**

DATE	DESCRIPTION	TIME
7/17/17	Research, review and analyze the Third Amended Class Action Complaint filed in the MDL after checking with class action lawyers.	2.7
7/25/17	Review a list of Washington corn producers and discuss with other attorneys at the firm	.7
8/1/17	Draft a template notice of a potential class action lawsuit	.5
8/16/m17	Telephone calls with attorneys in Eastern Washington regarding potential class representatives	.5
8/31/17	Telephone call and emails with Rampart Group regarding investigation into Washington corn farmers	.3
9/5/17	Draft and revise Washington class action complaint	5.3
9/5/17	Telephone calls and emails with NW Media regarding strategies for advertisements	.5
9/6/17	Telephone calls and emails with NW Media regarding strategies for advertisements	.6
9/7/17	Emails with NW Media regarding strategies for advertisements	.3
9/8/17	Emails with NW Media and Free-Range Productions regarding strategies for advertisements and review proposed ads on Facebook	.6
9/11/17	Emails with NW Media and Free-Range Productions regarding strategies for advertisements	.4
9/17/17	Emails with Rampart Group regarding investigation into Washington corn farmers	.3
9/18/17	Emails with NW Media and Free-Range Productions regarding strategies for advertisements	.5
9/19/17	Emails with NW Media and Free-Range Productions regarding advertisements (fliers to be posted at multiple farm stores)	.5
9/27/17	Emails with NW Media and Free-Range Productions regarding additional advertisements	.3
9/28/2017	Revised class action complaint	.7
10/1/17	Review and analyze all court orders filed	1.6
10/5/17	Review court orders and documents filed in the MDL	5.0
10/10/17	Continue to review documents filed	2.0
10/12/17	Telephone conference with potential class rep Gauntt regarding the lawsuit and the scope of class representative	.5
10/12/17	Revise and finalize class action complaint	.4
10/14/2017	Travel to Eastern Washington for initial in person meeting with Gauntt	3.5
10/16/2017	Meeting with class representative. Gauntt and discuss class lawsuit complaint.	1.5

DATE	DESCRIPTION	TIME
10/16/2017	Travel to Seattle from the meeting with class rep. Gauntt	3.5
10/20/2017	Emails with class representative Gauntt regarding the case status	2.1
11/7/2017	Phone conference with Patrick Stueve	.5
11/7/2017	Emails with co- lead counsel regarding the orders re: ESI questionnaire, fact sheet, etc.	.3
11/9/2017	Receive, review and analyze correspondence from co- lead counsel, including attachments thereto	.5
11/20/2017	Review and revise Notice to Conform for filing	.5
11/28/2017	Review and analyze defense counsel Schultz's letter regarding waiver of summons	.2
12/8/2017	Review and analyze Joint Status Report (Dkt. 3480)	.3
1/30/2018	Review Order Re settlement status report (Dkt. 3492)	.3
2/26/2018	Review and analyze Unopposed Motion to Withdraw from PEC, et al. (Dkt. 3497)	.2
2/27/2018	Review and analyze Touns/Coffmann Plaintiffs' Motion to Delay Consideration of the Request for Preliminary Approval of the Mediated Settlement Agreement, et al. (Dkt. 3499)	.3
2/27/2018	Order granting Unopposed Motion to withdraw from PEC, et al. (Dkt. 3498).	.1
2/28/2018	Review Hossley-Embry Plaintiffs' Motion to Join Touns/Coffman Plaintiffs' Motion to Delay Consideration of the Request for Preliminary Approval of the settlement, et al. (Dkt. 3500)	.2
3/12/2018	Review and analyze Plaintiffs' Motion for Preliminary Approval of Settlement Provisional Certification of Settlement Class and Subclasses, et al. (Dkt. 3506)	.5
3/12/2018	Review Plaintiffs' Memorandum of Law Re Motion for Preliminary Approval of Settlement, et al. and all exhibits filed in support thereof (Dkt. 3507)	1.5
3/12/2018	Review and analyze Stip and Order Re Plaintiffs' Fourth Amended Class Action Master Complaint (Dkt. 3504)	.2
3/12/2018	Review and analyze Plaintiffs' Fourth Amended Class Action Master Complaint (Dkt. 3505)	.7
3/12/2018	Review and analyze Joint Motion for Leave to File Agreement Containing Opt-Out Walk Away Right Thresholds Under Seal (Dkt. 3508)	.2
3/16/2018	Review Joint Motion to Stay and to Enjoin Putative Settlement Class from Commencing or Prosecuting Any Related Claims Pending Final Approval of the Settlement, including attachments thereto (Dkt. 3512)	.5
3/26/2018	Review Touns/Coffman Plaintiffs' Response to Class Plaintiffs' Motion for Preliminary Approval of Settlement, including attachments (Dkt. 3514)	.3
3/26/2018	Review Touns/Coffman Plaintiffs' Response in Opposition to Joint Motion to Stay and to Enjoin Putative Settlement Class (Dkt. 3519)	.1
3/26/2018	Review Hossley-Embry Plaintiffs' Motion to Join Touns/Coffman Plaintiffs' Reply Re Motion to Delay Consideration of Motion for Preliminary Approval of Settlement, including exhibit thereto (Dkt. 3520)	.2

DATE	DESCRIPTION	TIME
3/28/2018	Review Order Re Hearing on pending motions (Dkt. 3523)	.1
4/2/2018	Review and analyze Plaintiffs' Reply on Motion for Preliminary Approval of Settlement, including exhibits thereto (Dkt. 3526)	.5
4/2/2018	Review Plaintiffs' Consolidated Reply on Joint Motion for Leave to file agreement and Joint motion to enjoin putative settlement class (Dkt. 3527)	.1
4/5/2018	Review minute entry on motion hearings (Toups/Coffman's motions, Preliminary Approval motion, et al.) (Dkt. 3528)	.2
4/5/2018	Court conference with counsel re settlement	1.0
4/6/2018	Review Joint Motion to Establish Qualified Settlement Fund and Appoint Escrow Agent (Dkt. 3530)	.3
4/10/2018	Review and analyze Memo and Order RE Motion for preliminary settlement approval, Toups/Coffman plaintiffs' motion to delay preliminary settlement approval, et al. (Dkt. 3531) and discuss with other attorneys	.8
4/10/2018	Review Order Granting Joint Motion to Stay and to Enjoin Putative Settlement Class (Dkt. 3533)	.1
4/10/2018	Review and analyze Order Granting Joint Motion to Establish Qualified Settlement Fund and Appoint Escrow Agent (Dkt. 3535)	.2
4/13/2018	Interoffice discussions regarding the court's order on preliminary settlement approval and procedures and deadlines set forth therein	.5
4/16/2018	Telephone call with class representative Gauntt regarding the court's order on preliminary settlement approval and related documents	.5
5/1/2018	Phone conference with co-lead counsel Patrick Stueve	.5
5/4/2018	Review Producer Claim Form received from class representative Gauntt	.3
5/9/2018	Review Order Granting Unopposed Motion to Substitute Long Form Notice and Claim Forms (Dkt. 3539)	.1
5/10/2018	Review and analyze Unopposed First Motion for Disbursement of Funds (Dkt. 3540)	.2
5/14/2018	Review Order Granting Unopposed First Motion for Disbursement of Funds (Dkt. 3541)	.2
7/6/2018	Emails and telephone call with co- lead counsel, Patrick Stueve , regarding attorney fees and expenses	.3
<b>TOTAL ATTORNEY HOURS:</b>		<b>48.3</b>
<b>TOTAL ATTORNEY FEES: \$36,225.00 (48.3 HOURS * \$750.00)</b>		

**Law Offices of James S. Rogers**  
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Chep R. Gauntt  
 3025 Rickenbacker Drive  
 Pasco WA 99301

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 07/09/2018  
 Account No: 755-00M  
 Statement No: 1

Chep R. Gauntt v. Syngenta Seeds, Inc.

Interim Statement

**Soft Costs**

09/29/2017	August & September, 2017 Postage used (notice to corn producers)	443.90
11/29/2017	November, 2017 In-House Photocopies	145.90
12/29/2017	December, 2017 In-House Photocopies	1.50
04/30/2018	April, 2018 In-House Photocopies	1.30
	<b>Total Soft Costs</b>	<b>592.60</b>

**Costs Advanced**

08/21/2017	Capital Press (advertising)	249.38
08/24/2017	Tri-City Herald Advertising	881.10
08/28/2017	Yakima Herald Republic - advertising	272.80
08/29/2017	Grant County Journal - advertising	111.00
08/30/2017	Yakima Herald Republic - advertising	455.36
08/31/2017	The Quincy Valley Post-Register (display ads)	220.00
09/07/2017	Rampart Group LLC (investigation re Farmers)	5,295.00
09/07/2017	JSR Visa paid to Chism Strategies -advertising	750.00
09/11/2017	Columbia Basin Publishing Co.- advertising	499.92
09/12/2017	Northwest Media Allies - advertising	1,450.00
09/13/2017	Free Range Productions, Inc. - advertising & consultation	2,654.48
09/22/2017	Leehwa McFadden (Mileage reimbursement - posting ads in various stores)	107.00
09/25/2017	Daily Record/Kittitas Pub - advertising	612.00
09/27/2017	Free Range Productions, Inc. (9/19-9/27/17 services)	2,055.00
10/06/2017	Fedex documents to John McCreary - potential client rep	59.49
10/06/2017	Free Range Productions, Inc. (final invoice) advertising	1,887.50
10/16/2017	JSR Visa paid to US District Court (complaint filing fee)	400.00
10/16/2017	James S. Rogers (Sea-Tac parking fee) meeting w/ client	80.00
11/27/2017	John A. Strait, Professor -Seattle School of Law (7/30/17 - 9/1/17 services)	899.99
01/31/2018	Pacer (10/1/17 - 12/31/17 - download court documents)	67.00
04/23/2018	Pacer (2018-1st Qtr - download court documents)	109.50
	<b>Total Costs Advanced</b>	<b>19,116.52</b>

<b>Total Current Charges</b>	<b>19,709.12</b>
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<b>Balance Due</b>	<b><u>\$19,709.12</u></b>
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