

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re:
LIFE TIME FITNESS, INC.,
TELEPHONE CONSUMER
PROTECTION ACT (TCPA)
LITIGATION

Case No.: 0:14-md-02564-JNE-SER
MDL Docket No. 2564

**Declaration of J. Gordon Rudd, Jr. in
Support of Plaintiffs' Motion for Award
of Attorneys' Fees and Payment of
Service Awards**

This document relates to:
All Actions

J. Gordon Rudd, being duly sworn, states the following:

1. I am a partner at Zimmerman Reed P.L.L.P. and am a member in good standing of the State Bar of Minnesota. I am duly licensed to practice law before this Court and am one of the attorneys of record representing the Plaintiffs in this matter. I submit this Declaration in support of Plaintiffs' Motion for Award of Attorneys' Fees and Payment of Service Awards related to the investigation, prosecution and settlement of claims in the course of this litigation. This firm's compensation for services rendered in this case was wholly contingent on the success of this litigation and was totally at risk.

2. Zimmerman Reed was founded 30 years ago in 1983, and has offices in Minneapolis, Minnesota and Scottsdale, Arizona, with a total of 32 attorneys and professional staff. Zimmerman Reed has been recognized nationally for its representation of plaintiffs in complex multi-district litigation. The firm has been appointed Lead Counsel in large and complex cases in both federal and state courts. Every year since 2010, Zimmerman Reed has been recognized as a first-tier "Best Law

Firm” by U.S. News & World Report’s rankings of top law firms in the country.

3. I have over twenty years of class action and complex litigation experience. The lawyers of Zimmerman Reed, PLLP have been appointed as lead class counsel in multiple class action cases in state and federal courts. By way of example, I am currently serving in this district as class counsel in *Dryer, et al. v. National Football League*, Case No. 0:09-cv-02182-PAM-FLN. I am also litigating claims on behalf of financial institutions where the Firm serves as lead counsel in *IN RE: Target Corporation Customer Data Security Breach Litigation*, MDL 2522, pending before Judge Magnuson.

4. Since the inception of this litigation, and in accordance with its normal business practices, Zimmerman Reed has maintained detailed and contemporaneous records of time spent by its lawyers and paralegals in this action. In addition, Zimmerman Reed maintained records of the costs and expenses incurred in this litigation in its books and records. I have reviewed the time records to ensure that unnecessary and duplicative tasks were not billed. These books and records are prepared from the expense vouchers, invoices, billing statements, check records, and other source materials.

5. Plaintiffs’ counsel made assignments in a coordinated manner to ensure that talents were properly utilized and that information acquired was appropriately disseminated to the team incorporated into litigation strategy and, eventually, settlement strategy. Attorneys did not perform work that paralegals could perform.

6. The total number of hours spent on this litigation, from inception, by attorneys and paralegals at this firm has been 248.55.

7. The total lodestar (hours times the hourly rate) for this time, calculated at

the firm's current hourly rates during the litigation is \$153,314.75.

8. A breakdown of my firm's lodestar is as follows:

Name	Title	Hours	Rate	Lodestar Total
J. Gordon Rudd, Jr.	Partner	184.25	\$695.00	\$128,053.75
David M. Cialkowski	Partner	27.05	\$595.00	\$16,094.75
Anne T. Regan	Partner	4.25	\$550.00	\$2,337.50
Bradley C. Buhrow	Associate	0.25	\$375.00	\$93.75
Behdad C. Sadeghi	Associate	7.50	\$375.00	\$2,812.50
Leslie A. Harms	Paralegal	13.50	\$160.00	\$2,160.00
Heidi S. Cuppy	Paralegal	11.75	\$150.00	\$1,762.50
TOTAL		248.55		\$153,314.75

9. The figures and amounts represent the total time spent by each attorney and paralegal of this firm on this case, and the lodestar calculation for that attorney or paralegal based on this firm's current billing rates prepared from contemporaneous daily time records regularly maintained by this firm, which are available at the request of the Court.

10. This firm has expended a total of \$4,018.24 in non-reimbursed expenses in connection with the prosecution of this litigation. These expenses are as follows:

Expense Category	Total
Travel: Meals, Hotels & Transportation	\$2,608.45
Messenger, Overnight Delivery	\$124.00
Filing, Witness & Other Fees	\$400.00
Lexis, Westlaw, Online Library Research	\$400.37
Telephone Expenses, Conference Calls	\$34.02
Photocopies/Printing Charges	\$451.40
TOTAL	\$4,018.24

11. The expenses incurred pertaining to this case are reflected in the books and records of this firm maintained in the ordinary course of business. These books and

records are prepared from expense vouchers, invoices, check records, and similar items, and are an accurate record of expenses incurred. The amounts were prepared from contemporaneous expense records maintained by this firm, which are available at the request of the Court.

I declare under penalty of perjury under the laws of the State of Minnesota that the foregoing is true and correct.

Executed this 4th day of May, 2015

A handwritten signature in blue ink, appearing to read "J. Gordon Rudd, Jr.", written over a horizontal line.

J. Gordon Rudd, Jr.