

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

<p>In re: LIFE TIME FITNESS, INC., TELEPHONE CONSUMER PROTECTION ACT (TCPA) LITIGATION</p> <p>This document relates to: All actions</p>	<p>Case No.: 0:14-md-02564-JNE-SER MDL Docket No. 2564</p> <p><b>Declaration of David T. Butsch in Support of Plaintiffs' Motion for Award of Attorneys' Fees, Reimbursement for Expenses, and Payment of Incentive Awards</b></p>
---	--

I, David T. Butsch, declare as follows:

1. I am a partner with the firm of Butsch Roberts & Associates LLC. I am a member of the Plaintiffs' Executive Committee in the above-captioned case. I am submitting this declaration in support of my firm's application for an award of attorneys' fees and expenses in connection with services rendered in the above-entitled action. I am a member in good standing of the Missouri Bar of and I have never been the subject of any type of disciplinary proceeding. In addition to Missouri, I am also licensed to practice in the State of Illinois. Furthermore, I am admitted to practice before The United States Court of Appeals for the Eighth Circuit, the United States Court of Appeals for the Seventh Circuit, the United States District Court for the Eastern District of Missouri, the United States District Court for the Southern District of Illinois and the United States District Court for the Northern District of Illinois.

2. I am a 1988 graduate of the St. Louis University School of Law, where I received my Juris Doctor degree. I was admitted to the Missouri State Bar in 1988 and the Illinois State Bar in 1990. I have served as counsel to the class in numerous class

action cases, in state and federal courts, including *Carpenter v. Countrywide Home Loans, Inc.*, 250 S.W.3d 697 (Mo. banc 2008), which resulted in the largest judgment in a class action case in Missouri as of that time. I regularly lecture to members of the Missouri Bar on various aspects of class action practice.

3. Butsch Roberts & Associates LLC is an AV rated law firm which began operating on November 1, 2008. The firm specializes in complex civil litigation, with an emphasis on consumer class litigation. The two member of the firm, David T. Butsch and Christopher E. Roberts, have a combined litigation experience of more than 30 years.

4. The total number of hours spent on this litigation by my firm is 313.2 hours. This includes 182.7 hours for research, pleadings and briefing, 19.8 hours on discovery matters, 15.7 hours on management, strategy and administrative matters, and 95 hours on negotiation and settlement-related work.

5. The total lodestar amount for attorney/professional time based on my firm's usual and customary rates is \$156,372.50.

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

<b>Name</b>	<b>Hours</b>	<b>Rate</b>	<b>Lodestar Total</b>
David T. Butsch	186.1	\$550.00	\$102,355
Christopher E. Roberts	127.1	\$425.00	\$54,017.50
<b>TOTAL</b>	<b>313.2</b>		<b>\$156,372.50</b>

7. The figures and amounts reflected in the foregoing paragraph are derived from daily time records that are inputted into a computerized billing system maintained by my firm. These time records are available for submission to the Court upon request.

8. Based upon my experience with other class action matters, I believe that the time expended by my firm in connection with this action is reasonable in amount and was necessarily incurred in connection with the prosecution of this action.

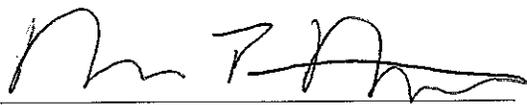
9. My firm incurred a total of \$6,433.33 in expenses in connection with the prosecution of this litigation. They are broken down as follows:

<b>EXPENSE CATEGORY</b>	<b>TOTAL</b>
Travel: Meals, Hotels & Transportation	\$1,626.23
Filing, Witness & Other Fees	\$133.00
Experts/Consultants/Investigators	\$4,450.00
<b>TOTAL</b>	<b>\$6,209.23</b>

10. The aforementioned expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from expense vouchers, check records, and other documents and are an accurate record of the expenses. The expense records and backup documentation are available for submission to the Court upon request.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 4<sup>th</sup> day of May, 2015.

  
 \_\_\_\_\_  
 David T. Butsch