

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

GARY MARCHESE, ESTHER WEINSTEIN,	)	Civil Action No. 10-2190 (MCA) (MAH)
and JOAN HOWARD Individually, and on	)	
Behalf of All Others Similarly Situated,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
CABLEVISION SYSTEMS CORPORATION	)	
and CSC HOLDINGS, LLC,	)	
	)	
Defendants.	)	
	)	
	)	

**DECLARATION OF KEITH S. DUBANEVICH IN SUPPORT OF  
PLAINTIFFS' MOTION FOR AN AWARD OF ATTORNEY'S FEES,  
REIMBURSEMENT OF EXPENSES, AND PAYMENT OF INCENTIVE  
AWARDS TO CLASS REPRESENTATIVES**

I, Keith S. Dubanevich, declare as follows:

1. I am a shareholder at the law firm of Stoll, Stoll, Berne, Lokting & Shlachter (Stoll Berne). I submit this declaration in support of Plaintiffs' motion for an award of attorneys' fees, reimbursement of expenses and payment of incentive awards to the class representatives in connection with services rendered in prosecuting this action. I have personal knowledge of the matters set forth in this declaration, and, if called as a witness, could and would testify competently thereto.
2. My firm has acted as counsel for Plaintiffs in this litigation entirely on a contingency fee basis. The background and experience of Stoll Berne and its attorneys are summarized in our firm resume attached hereto as Exhibit 1.

3. During the litigation my firm was involved in, among other others, the following activities: legal research, document review, drafting and revising pleadings and motions, meeting with experts, preparation for depositions, and factual investigation

4. Attached hereto as Exhibit 2 is a summary lodestar report (including timekeeper, position, rates, and hours) for this matter. The lodestar calculation is a detailed summary indicating the amount of time spent by each attorney and professional support staff at my firm who was involved in the litigation and the lodestar calculation based on my firm's current hourly billing rates for similar litigation. The schedule was prepared from contemporaneous time records regularly prepared and maintained by my firm, which are available at the request of the Court. The total number of hours expended by my firm from inception through this date is 1,082.80 hours. The total lodestar for my firm is \$394,491.00.

5. Exhibit 3 attached hereto is a summary by category of the unreimbursed expenses incurred by my firm in connection with the prosecution of this litigation. The expenses incurred in this action are reflected on my firm's books and records, which are prepared from invoices, receipts, credit card bills, cancelled checks and wire transfer notices, expense vouchers, check records, and other source materials and represent an accurate recordation of the expenses incurred. As detailed in Exhibit 3, my firm has incurred a total of \$59,434.39 in unreimbursed expenses in this litigation.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty of perjury.

DATED this 8th day of July, 2016.

s/ Keith S. Dubanevich  
**Keith S. Dubanevich**, OSB No. 975200

# Stoll Berne

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## About Stoll Berne

### Who we are

Deeply rooted in the great Northwest and nationally recognized for outstanding work for more than 35 years, **Stoll Berne** has achieved extraordinary results for our clients through practical, strategic and tenacious representation. Although our firm's many noteworthy achievements reflect our professional abilities, the numerous referrals we receive from satisfied clients and peers in the legal profession perhaps better illustrate our success. More than half of our practice originates from other attorneys who refer their clients to us. We enjoy maintaining a relatively small firm, taking care to understand client needs and provide services in legal areas in which we have particular experience and skill.



### An environment of personal integrity and professional excellence

We select our attorneys on the basis of their high personal integrity, sound judgment and superior academic achievement. Many of our firm's lawyers finished at or near the top of their class at the nation's premier law schools. Our partners and associates have received - and continue to receive - professional honors and accolades. We are consistently rated among the best lawyers in Oregon by our peers and are frequently cited for the many articles we have published in professional journals. We are also regularly invited to speak to legal groups and other organizations.

### A belief in social responsibility

Stoll Berne plays a leadership role in giving back to the community, instilling hope among citizens who are in need. The firm donates a generous amount of its gross revenues each year to charitable organizations. We are one of the largest contributors to the Campaign for Equal Justice, which provides funding for legal services to low-income Oregonians. Many of our lawyers regularly donate their time to pro bono legal activities, including representing seniors, indigent clients and migrant workers. We are involved with community organizations ranging from Self Enhancement, Inc., Community Cycling Center, Hoyt Arboretum Friends, Ronald McDonald House Charities, CASA, and Oregon Food Bank. We also participate in charitable fund raising and coach high school mock trial teams.

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## Class Action Litigation

We have earned a solid reputation as the leading plaintiffs' class action firm in Oregon. We have litigated numerous securities fraud class actions on behalf of investors. We have represented employees in class actions involving wage and hour claims. We have represented consumers in consumer protection class actions and in antitrust cases. We have represented clients in class actions involving the environment. We have also represented health care providers seeking to recover proper reimbursement in class actions against insurance companies.

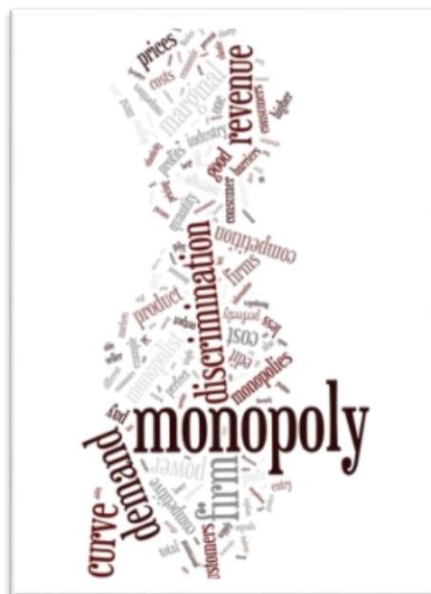


## Antitrust Litigation

Stoll Berne represents U.S. and international companies and consumers in all aspects of antitrust litigation. This representation includes allegations of

- Price-fixing
- Customer allocation
- Market division
- Price discrimination
- Tying or bundling related products and unfair or deceptive trade practices.

Our team of experienced, highly sophisticated trial attorneys handles everything from complex class actions to multi-district litigation and arbitration. Because we have represented both plaintiffs and defendants in antitrust cases, this experience has enabled us to garner respect among members of the bench and bar as objective and practical litigators.



We have a proven track record of defending health care providers against antitrust claims. Indeed, we have tried to a successful verdict an antitrust case against a major national hospital chain and won multiple summary judgment motions and motions to dismiss. These cases have arisen out of peer review proceedings, preferred provider agreements and most favored nation clauses.

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We have represented Japanese and American shipping companies in multi-district litigation and in arbitration against price-fixing and market allocation allegations, we have represented healthcare companies against exclusive dealing allegations, and we have represented consumers in a wide variety of antitrust contexts.

Currently, we are prosecuting a class action in federal court against automotive wire harness manufacturers. The class action arises out of an alleged long-running conspiracy of rigging bids for and fixing, raising, maintaining and stabilizing prices of automotive wire harnesses used in automobiles sold in the United States.

We also filed a federal class action against Sony and others on behalf of Oregon consumers who purchased optical disc drive products (such as CD, DVD, or Blu-Ray players, or computers containing such devices) from October 2005 to the present.

## Lawyers

**Steven C. Berman:** Steven's practice emphasizes business, employment and securities litigation. He has authored articles on employment litigation, competition and trade-secret matters, and also authored the chapter on Elections Law and Government Ethics in the Oregon State Bar's *2009 Oregon Legislation Highlights*.

**Gary Berne:** Gary represents clients in all types of business cases in federal and state courts. Many of his cases involve securities, shareholder, partnership, antitrust, consumer and employment claims, and class actions. Along with his trial practice, he represents members of the securities industry in regulatory and compliance matters before the Securities and Exchange Commission (S.E.C.), Financial Industry Regulatory Authority (FINRA), and state agencies. Gary has been recognized as a leading business litigation lawyer in Oregon by *Chambers USA: America's Leading Lawyers for Business*, *Best Lawyers in America* and other publications.

**Nadia Dahab:** Nadia is an associate in the litigation group. She received her Bachelor's degree in civil engineering from the University of Nebraska-Lincoln and graduated Order of the Coif from the University of Oregon, School of Law. Before joining Stoll Berne, Nadia clerked for the Honorable Rives Kistler on the Oregon Supreme Court, and both the Honorable Mary H. Murguia and the Honorable Susan P. Graber, on the U.S. Court of Appeals for the Ninth Circuit.

**Andrew Davis:** Andy concentrates his practice in the areas of commercial real estate including development, investment and finance. He advises clients in a wide range of commercial real estate transactions and matters, including the purchase and sale, development, investment, leasing, financing, management and ownership of commercial properties. Andy has made a number of presentations about real estate issues to both legal and real estate professional groups and has authored various publications for the Oregon State Bar.

**Timothy DeJong:** Tim is a litigator emphasizing complex business, securities and intellectual property disputes. Tim has experience in litigation matters involving patent infringement, class actions, violations of state and federal securities statutes, construction defect, insurance coverage and employment-related disputes. Tim is listed in *Best Lawyers in America*, and *The Portland Business Journal* recognized him as among the "Best of the Bar" in the field of intellectual property.

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**Keith Dubanevich:** Keith concentrates his practice in complex dispute resolution and has represented a wide variety of companies in arbitration and in litigation in more than a dozen different jurisdictions. He has extensive experience handling multi-state antitrust cases, consumer litigation and securities disputes. He was recently Associate Attorney General and Chief of Staff at the Oregon Department of Justice where he managed securities litigation on behalf of the state employee's pension fund, and supervised antitrust investigations and prosecutions.

**Jacob Gill:** Jake is a litigation and business lawyer who handles litigation in state and federal courts and aids clients in commercial transactions and business organization. Jake attended University of Oregon, graduating as a member of the Order of the Coif, a distinction bestowed on those in the top 10 percent of the class.

**Keith Ketterling:** Keith, one of the firm's managing shareholders, represents institutional and individual investors and brokerages in securities and financial fraud litigation and regulatory matters. He also handles matters involving trade secret and noncompetition litigation, and other complex business litigation. Keith brings a unique perspective to his cases, representing financial fraud victims, and in other instances, defending selected clients facing allegations of financial or securities fraud. Keith regularly arbitrates and mediates FINRA and other securities matters. Keith has been recognized in *Oregon Super Lawyers* and *Best Lawyers in America*.

**Steve Larson:** Steve is a trial lawyer who handles cases in state and federal courts, as well as before arbitration panels, emphasizing all types of complex business litigation. Steve has experience in class actions, securities litigation, corporate disputes, intellectual property disputes, unfair competition claims, and employment matters. Steve has represented both plaintiffs and defendants. Steve has also appeared before the US Supreme Court, Ninth Circuit Court of Appeals, and the Oregon Court of Appeals.

**Benjamin Leedy:** Benjamin is a business and real estate associate. His practice focuses on the areas of commercial real estate acquisitions and dispositions, real estate finance, leasing and real estate development.

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**David Lokting:** David heads the firm's extensive business law and real estate practices. David represents clients in a wide range of business and real estate transactions, including forming business organizations (corporations, partnerships and limited liability companies), buying and selling businesses, equity buy-ins and buy-outs (including business "divorces"), development, acquisition, sale and financing of all types of commercial and investment real estate, structuring and completing forward and reverse Section 1031 exchanges, and representing developers and lenders in affordable housing projects.

**Keil Mueller:** Keil Mueller is a trial lawyer who represents corporate and individual clients in state and federal court, as well as in arbitration proceedings. Keil's practice focuses on complex business, securities and financial fraud litigation. He received his law degree, *cum laude*, from the New York University School of Law in 2005.

**Yoona Park:** Yoona Park is an associate who concentrates on complex business litigation, securities law, employment class actions, and employment litigation. She received her law degree, *cum laude*, from Lewis & Clark Law School in 2007.

**Joshua Ross:** Josh is one of the firm's managing shareholders. He concentrates on litigation, including complex business and securities issues. Josh received his law degree, *cum laude*, from Northwestern School of Law at Lewis and Clark in 2003. He joined the firm in 2005 after clerking for Hon. Rick Haselton of the Oregon Court of Appeals.

**Rob Shlachter:** Rob is a trial lawyer who handles cases in state and federal courts, as well as before arbitration panels, emphasizing all types of complex business litigation. Rob concentrates in intellectual property, unfair competition and commercial litigation. Recently, *The National Law Journal* selected Rob as one of the top ten litigators in Oregon, and *Chambers USA: America's Leading Lawyers* lists Rob as one of the top litigators.

**Jennifer Wagner:** Jen is a litigation attorney who practices in the areas of complex business, employment, securities, and class action litigation. She graduated first in her class, *magna cum laude*, in 2002 from Northwestern School of Law at Lewis and Clark College.

**EXHIBIT 2****MARCHESE, ET AL V. CABLEVISION SYSTEMS CORP.  
TIME REPORT****Firm Name: Stoll Berne****Reporting Period: Inception through July 8, 2016**

<b>PROFESSIONAL</b>	<b>STATUS</b>	<b>TOTAL HOURS</b>	<b>CURRENT HOURLY RATE</b>	<b>TOTAL LODESTAR</b>
Keith Dubanevich	Shareholder	320.40	525	\$168,210.00
Mark Friel	Shareholder	267.70	425	\$113,772.50
Tim DeJong	Shareholder	3.60	450	\$1,620.00
Steve Larson	Shareholder	2.00	510	\$1,020.00
Scott Shorr	Shareholder	1.80	395	\$711.00
Jason Dotts	Paralegal	474.50	225	\$106,762.50
Tania Starry McGee	Paralegal	5.80	225	\$1,305.00
miscellaneous	Project Assistant	7.00	160	\$1,120.00
<b>TOTALS</b>		1,082.80		\$394,491.00



**EXHIBIT 3****MARCHESE, ET AL V. CABLEVISION SYSTEMS CORP.  
EXPENSE REPORT****Firm Name: Stoll Berne****Reporting Period: Inception through July 8, 2016**

<b>EXPENSE</b>	<b>AMOUNT</b>
Litigation Fund	55,000.00
Travel/Hotel/Meals	577.48
Copying Services	
Research Services	1,815.54
Telephone/Teleconference/Fax	2.57
FedEx/Messengers/Postage	28.80
Court Fees	2,010.00
Other (describe)	
<b>TOTAL</b>	<b>\$59,434.39</b>