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3
4 IN THE CIRCUIT COURT FOR THE STATE OF OREGON
5 FOR THE COUNTY OF MULTNOMAH

6 IN RE RENTRAK CORPORATION
7 SHAREHOLDERS LITIGATION,

CONSOLIDATED LEAD
CASE NO. 15CV27429

8 Assigned to Judge Litzenberger

9 **DECLARATION OF TIMOTHY S.
10 DEJONG IN SUPPORT OF MOTION FOR
ATTORNEY FEES AND EXPENSES**

11 I, Timothy S. DeJong, declare under penalty of perjury as follows:.

12 1. I am an adult, and I reside in Oregon. I am a shareholder of Stoll Stoll Berne
13 Lokting & Shlachter P.C. (“Stoll Berne”), which has been appointed as Liaison Counsel for the
14 Class. I have personal knowledge of the matters set forth in this declaration. If called to testify in
15 court under oath, I would testify to the facts set forth in this declaration.

16 **A. Retention Agreement and Contingent Nature of Representation**

17 2. My firm represented Plaintiffs on a wholly contingent basis. True and accurate
18 copies of Plaintiffs’ retention agreements are attached to the Declarations of Jason Leviton and
19 Peter Andrews submitted herewith. To date, my firm has not yet been paid anything for services
20 rendered in connection with the above-captioned action.

21 **B. Work Performed**

22 3. My firm initially acted as Oregon counsel to Plaintiff Sikorski (plaintiff in one of
23 the related actions that was consolidated). In June 2016, my firm took over from Samuels Yoelin
24 Kantor as Oregon counsel to the Plaintiffs and the Class, and was subsequently appointed
25 Liaison Counsel. In this role, we provided guidance and local expertise about Oregon practices
26 and procedures. We attended all hearings, assisted in reviewing and revising all documents filed

1 with the Court both for substance and compliance with Oregon practices and procedure, and
2 conferred with defense counsel regarding various procedural matters. At the Court's request, we
3 prepared a declaration responding to the Court's questions regarding Plaintiffs' compliance with
4 ORCP 32 H.

5 **C. Time and Expenses**

6 4. My firm's timekeepers spent 149.4 hours litigating the above-captioned case from
7 its inception through today. These figures and those set forth below do not include any of the
8 time spent prosecuting the related consolidated actions: *Nathan v. Matta, et al.*, Case No.
9 16CV32458 and *Hulme v. Matta, et al.*, Case No. 17CV11445. We have tracked time for those
10 matters separately and are not including any hours billed to the *Matta* actions in connection with
11 this fee application.

12 5. I was the principal Stoll Berne attorney supervising this matter within our firm,
13 and I have reviewed the firm's billing records. The total lodestar for my firm is \$56,125.00. The
14 hourly rates for the attorneys and professional support staff in my firm shown below are the
15 reasonable and customary rates charged for each individual timekeeper. My firm's lodestar
16 figures are based upon the firm's current billing rates. Because the litigation spanned portions of
17 three calendar years, our hourly rates were adjusted each year. A breakdown of the lodestar is as
18 follows:

Timekeeper	Hours	Hourly Rate	Lodestar
Timothy DeJong (P)	84.80	\$410-\$485	\$37,784.50
Jennifer Wagner (P)	2.90	\$350-\$375	\$1,055.00
Mark Friel (P)	0.30	\$365.00	\$109.50
Nadia Dahab (A)	61.20	\$270-\$315	\$17,136.00
Tania Starry McGee (PL)	0.20	\$200	\$40.00
Total	149.40		\$56,125.00

26 (P) – Partner; (A) – Associate; (PL) – Paralegal.

1 6. The hourly charges listed above do not include charges for expenses. Expense
2 items are billed separately and such charges are not duplicated in my firm's billing rates. The
3 firm has incurred a total of \$1,738.27 in unreimbursed expenses in connection with the
4 prosecution of the action from its inception through the date of this Declaration. These expenses
5 are of the type routinely charged to the firm's hourly paying clients and were necessarily
6 incurred in prosecution of the action. The expenses pertaining to this case are reflected in the
7 books and records of my firm and consist of the following:

8 9 Expense Category	Total
10 Court Filing Fees	\$1,008.00
11 Process Service Fees	\$298.50
12 Hearing Recordings	\$15.00
13 Courier Fees	\$198.00
14 Federal Express Shipping	\$65.77
15 Pro Hac Vice Related Fees	\$60.00
16 Westlaw Fees	\$93.00
17 Total	\$1,738.27

18 I hereby declare that the above statement, including the information contained in the
19 exhibits to this statement, is true to the best of my knowledge and belief, and that I understand it
20 is made for use as evidence in court and is subject to penalty for perjury.

21
22 Dated this 8th day of August 2017.

23
24 s/ Timothy S. DeJong _____
25 Timothy S. Dejong, OSB No. 940662