

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: PROCESSED EGG PRODUCTS ANTITRUST LITIGATION
This document relates to:  ALL DIRECT PURCHASER ACTIONS

MDL Docket No. 2002  
08-md-02002

**DECLARATION OF MARC H. EDELSON, ESQUIRE**

I, Marc H. Edelson, declare as follows:

1. I am a partner of the law firm of Edelson & Associates, LLC. My firm is counsel to Brigotta's Farmland Produce & Garden Center, Inc., a plaintiff in this action. I make this Declaration based on my personal knowledge. If called as a witness, I could and would competently testify to the matters stated herein.

2. This Declaration pertains to the hours worked by professionals in my firm, and the expenses incurred by this firm, during the period from January 2009 through February 2011. My firm has submitted to Interim Co-Lead Counsel in this case (i) monthly reports setting forth the hours which this firm (by individual) has devoted to work on this case for the foregoing period of time, and (ii) monthly reports setting forth the expenses incurred in connection with this firm's work on the case during that same period. These monthly reports are based upon records of time and expenses regularly maintained by my firm in the normal course of conducting its business.

3. At the direction of Interim Co-Lead Counsel, my firm has performed the

following tasks in this litigation: factual investigation.

4. Attached as Exhibit 1 hereto is a chart setting forth, for the January 2009 through February 2011 time period: (i) the individuals from this firm who have worked on this case; (ii) the dates of admission (attorneys) or years of experience (non-attorneys) for each individual that has worked on this case; (iii) the billable rates charged by each such individual, by year, for work performed on this case; (iv) the total number of hours that each individual has worked on this case, by year; (v) the total hours and total lodestar for the firm; and (vi) the total expenses less assessments for the firm.

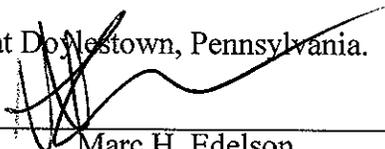
5. Attached as Exhibit 2 hereto are the monthly lodestar reports which this firm has submitted to Interim Co-Lead Counsel for the Direct Purchaser Class Plaintiffs from January 2009 through February 2011. The lodestar amount reflected in the reports attached hereto is for work assigned by Interim Co-Lead Class Counsel and was performed by professional staff at my law firm for the benefit of the Direct Purchaser Plaintiff Class. I have reviewed the lodestar reports attached hereto and can confirm that they are true and correct. All work reported by individuals (attorneys and non-attorneys) on behalf of the Direct Purchaser Plaintiff Class in this matter was performed on a wholly contingent basis. Attached as Exhibit 2 hereto are the monthly lodestar reports which this firm has submitted to Interim Co-Lead Counsel for the Direct Purchaser Class Plaintiffs from January 2009 through February 2011. The lodestar amount reflected in the reports attached hereto is for work assigned by Interim Co-Lead Class Counsel and was performed by professional staff at my law firm for the benefit of the Direct Purchaser Plaintiff Class. I have reviewed the lodestar reports attached hereto and can confirm that they are true and correct. All work reported by individuals (attorneys and non-attorneys) on behalf of the Direct Purchaser Plaintiff Class in this matter was performed on a wholly

contingent basis. The rates set forth in the monthly reports attached as Exhibit 2 are the usual and customary, historical hourly rates in effect at the time work was performed. These rates are the same as, or substantially similar to, rates used by my firm in similar types of actions. In addition, my firm has submitted fee petitions in other cases that have reported hourly rates at amounts comparable to those sought herein, and courts have approved an award of attorneys' fees in such cases. Examples include: *Citizens for Consumer, et al. v. Abbott Laboratories*, 101-cv-12257-PBS (USDC Dist. Mass), *In re TFT (Flat Panel) Antitrust Litigation*, M:07-cv-1827 (USDC N. Dist Cal.), and, *Kent v. Hewlett-Packard Company*, 5:09-cv-85341 (USDC N. Dist. Cal.).

6. Attached as Exhibit 3 hereto are monthly charts setting forth the expenses incurred by this firm in connection with this litigation from January 2009 through February 2011. These costs were incurred on behalf of the Direct Purchaser Plaintiff Class by my firm on a contingent basis, and have not been reimbursed.

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

Executed on the 6<sup>th</sup> day of September at Doylestown, Pennsylvania.

  
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Marc H. Edelson

# EXHIBIT 1

**Edelson & Associates, LLC**

Edelson, Marc - Partner

YEARS OF EXPERIENCE: 25

	Rate	Hours	Rate x Hours
2009	\$600.00	9.40	\$5,640.00
2009-Oct.	\$625.00	0.60	\$375.00
2010	\$625.00	1.20	\$750.00
2011	\$650.00	0.20	\$130.00
Cumulative Hours		11.40	
Cumulative Lodestar			\$6,895.00
CUMULATIVE FIRM HOURS	11.40		
CUMULATIVE FIRM LODESTAR	\$6,895.00		
EXPENSES LESS ASSESSMENTS	\$0.00		



# EXHIBIT 2





In Re Processed Egg Products Anti-Trust Litigation. MDL No. 2002, E.D. Pa. 08-md-02002

Time Report and Lodestar Summary

Reporting Period Ending: March 31, 2009

Firm: Edelson & Associates, LLC

Professional (Status)	Hourly Rate	1	2	3	4	5	6	7	Current Hours	Current Lodestar	Professional Status
Marc Edelson (P)	\$600.00			0.90					0.90	\$540.00	
<b>Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.90</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.90</b>	<b>\$540.00</b>	
Categories:											
(1) Investigations, Factual Research											(P) Partner
(2) Discovery											(OC) Of Counsel
(3) Pleadings, Briefs, Pretrial Motions (including legal research)											(A) Associate
(4) Court Appearances											(LC) Law Clerk
(5) Settlement											(Pl.) Paralegal
(6) Litigation Strategy, Analysis & Case Management											(L) Librarian
(7) Class Certification											(I) Investigator











In Re Processed Egg Products Anti-Trust Litigation, MDL No. 2002, E.D. Pa. 08-md-02002

Time Report and Lodestar Summary

Reporting Period Ending: September 30, 2009

Firm: Edelson & Associates, LLC

Professional (Status)	Hourly Rate	1	2	3	4	5	6	7	Current Hours	Current Lodestar
Marc Edelson (P)	\$600.00			0.20					0.20	\$120.00
<b>Total:</b>		0.00	0.00	0.20	0.00	0.00	0.00	0.00	0.20	\$120.00
Categories: Professional Status:										
(1) Investigations, Factual Research (P) Partner										
(2) Discovery (OC) Of Counsel										
(3) Pleadings, Briefs, Pretrial Motions (including legal research) (A) Associate										
(4) Court Appearances (LC) Law Clerk										
(5) Settlement (PL) Paralegal										
(6) Litigation Strategy, Analysis & Case Management (L) Librarian										
(7) Class Certification (I) Investigator										



In Re Processed Egg Products Anti-Trust Litigation, MDL No. 2002, E.D. Pa. 08-md-02002  
 Time Report and Lodestar Summary

Reporting Period Ending: November 30, 2009

Firm: Edelson & Associates, LLC

Professional (Status)	Hourly Rate	1	2	3	4	5	6	7	Current Hours	Current Lodestar	Professional Status
Marc Edelson (P)	\$625.00			0.20					0.20	\$125.00	
<b>Total:</b>		0.00	0.00	0.20	0.00	0.00	0.00	0.00	0.20	\$125.00	
Categories											
(1) Investigations, Factual Research											(P) Partner
(2) Discovery											(OC) Of Counsel
(3) Pleadings, Briefs, Pretrial Motions (including legal research)											(A) Associate
(4) Court Appearances											(LC) Law Clerk
(5) Settlement											(PL) Paralegal
(6) Litigation Strategy, Analysis & Case Management											(L) Librarian
(7) Class Certification											(I) Investigator































# EXHIBIT 3

In Re Processed Egg Products Anti-Trust Litigation, MDL No. 2002, E.D. Pa 08-md-02002  
 Expense Report and Summary of Fees & Expenses

Reporting Period Ending: June 30, 2010

Firm: Edelson & Associates, LLC

Description	Current Total	Cumulative Total
Assessments	\$5,000.00	\$5,000.00
Commercial Copies		
Internal Reproduction/Copies		
Court Fees (filing, etc.)		
Court Reporters/Transcripts		
Computer Research		
Telephone/Fax/Email		
Postage/Express Delivery/Messenger		
Professional Fees (expert, investigator, accountant, etc.)		
Witness/Service Fees		
Travel: Air Transportation, Ground Travel, Meals, Lodging, etc.		
Clerical Overtime		
Miscellaneous (Describe)		
<b>TOTAL EXPENSES</b>	<b>\$5,000.00</b>	<b>\$5,000.00</b>

