

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

----- x MDL No. 1409
: M 21-95
IN RE :
: :
CURRENCY CONVERSION FEE :
ANTITRUST LITIGATION :
: :
: :
x Index No. 05 CV 7116 (WHP)
THIS DOCUMENT RELATES TO: :
: :
ROBERT ROSS, et al., :
: :
Plaintiffs, :
: :
-against- : Jury Trial Demanded
: :
BANK OF AMERICA, N.A, et al., :
: :
Defendants. :
: :
----- x

**DECLARATION OF MARC H. EDELSON IN SUPPORT OF EDELSON &
ASSOCIATES, LLC APPLICATION FOR ATTORNEYS' FEES AND
REIMBURSEMENT OF EXPENSES**

I, Marc H. Edelson, declare as follows:

1. I am a partner of the law firm of Edelson & Associates, LLC (the "Edelson Firm"). My firm has acted as counsel to Plaintiff Matthew Grabell in this action.
2. I am submitting this Declaration in support of Class Plaintiffs' application for an award of attorneys' fees for services rendered in the above-captioned litigation and for reimbursement of costs and expenses incurred in connection with this litigation.

3. The Edelson Firm's compensation for the services rendered on behalf of Plaintiffs and the Settlement Class is wholly contingent, and the firm has been completely at risk that it would not receive any compensation for prosecuting these claims against the defendants.

4. All attorneys, paralegals and clerks at my firm are instructed to keep contemporaneous time records reflecting the time spent on this and other matters.

5. Attached as Exhibit 1 hereto is a précis of the Edelson Firm's qualifications and accomplishments.

6. During the period from the inception of the case through May 1, 2010, the Edelson Firm performed 849.20 hours of work in connection with this litigation. Specifically, The Edelson Firm engaged in factual research, legal research including preparation of legal memos, document review, and preparation of named plaintiff discovery.


7. The total lodestar amount for attorney/professional support staff time based on the firm's rates, at the time of accrual, is \$373,833.00. Attached hereto as Exhibit 2 is a schedule containing a detailed summary indicating amount of time – by category – spent by the partners, associates and other professional support staff of my firm who were involved in this litigation, the number of hours worked, their rates and their respective lodestar values. The rates at which the firm seeks compensation are its usual and customary hourly rates charged for its attorney' and professionals' services in similar complex class action litigation and do not include charges for expense items, which are billed separately. The schedule was prepared from contemporaneous, daily time records regularly prepared and maintained by my firm. None of the time included in this fee application represents any work done in connection with preparing this Declaration or otherwise related to petitioning for award of attorneys' fees or seeking reimbursement of costs.

8. All of the services performed by the Edelson Firm in connection with this litigation were reasonably necessary in the prosecution of this case. There has been no unnecessary duplication of services for which the firm now seeks compensation.

9. During the period from inception of this litigation through May 1, 2010, the Edelson Firm incurred unreimbursed expenses in connection with the prosecution of this litigation in the sum of \$10,854.04. These expenses were reasonably and necessarily incurred in connection with this litigation and are detailed in the chart attached as Exhibit 3.

10. The expenses incurred are reflected on the books and records of the Edelson Firm. These books and records are prepared from checks, expense vouchers and other source materials which are regularly kept and maintained by the firm and accurately represent the expenses incurred.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 21st day of May, 2010 at Doylestown, Pennsylvania.



Marc H. Edelson

Exhibit 1

BIOGRAPHY OF & EDELSON & ASSOCIATES, LLC

Edelson & Associates, LLC has been engaged in the practice of complex and class action litigation since 2003. Prior to forming Edelson & Associates, LLC, Marc H. Edelson was the founder and managing partner of Hoffman & Edelson, LLC which focused on class action litigation exclusively since its formation in 1990.

As a partner at Hoffman & Edelson, LLC, Marc Edelson has served as lead counsel or as a member of the Executive Committee in numerous important cases including:

In re Pharmaceutical Industry Average Wholesale Price Litigation: MDL 1456 Civil Action No. 01-cv-12257, United States District Court for the District of Massachusetts (co-lead counsel)

In re Copper Antitrust Litigation: MDL Docket No. 1303 United States District Court for the Western District of Wisconsin (member of executive committee)

In re Western States Wholesale Natural Gas Antitrust Litigation, MDL-1566, United States District Court for the District of Nevada (co-lead counsel)

In re Ciprofloxacin Hydrochloride Antitrust Litigation MDL-001383, United States District Court Eastern District of New York (co-lead counsel)

In re Premarin Antitrust Litigation Civil Action No. 1:01cv447 United States District Court for the Southern District of Ohio Western Division at Cincinnati (co-lead counsel)

Elizabeth Blevins v. Wyeth-Ayerst Laboratories, Inc., No. 324380, Superior Court of the State of CA, County of San Francisco (co-lead counsel)

Denise Roberts v. Fleet Bank (RI), National Association and Fleet Credit Card Services, L.P., Civil Action, No. 00-CV-6142.

In the United States District Court for the Eastern District of PA
United States Court of Appeals for the Third Circuit, No. 01-442 (co-lead counsel)

Jason Tesauro and Elizabeth Eley v. The Quigley Corporation,
No. 00-1011, Philadelphia County, Court of Common Pleas (co-lead counsel)

Lyndah Wise v. Union Acceptance Corporation, No. 01C-8479
United States District Court for the Northern District of Illinois (co-lead counsel)

Rudi Rodriguez v. Ford Motor Credit Company, Case No. 01-C 8526
United States District Court for the Northern District of Illinois (co-lead counsel)

Joseph and Cynthia Papa v. General Electric Capital Mortgage Services, Inc.,
Superior Court of New Jersey, Camden County, Docket No. L-5311-97 (co-lead counsel)

Renee C. Pegram et al. v. Beneficial Corp., Superior Court of New Jersey-Law
Division-Camden County, Docket No. L-8308-97 (co-lead counsel)

Karen and Barry Gartland v. Beneficial Corp., Beneficial Management Corp.
Of America, and Beneficial Consumer Discount Company, Court of Common
Pleas, Philadelphia County, No. 1535 (co-lead counsel)

Eric Schonning v. Abit (USA) Computer Corporation, Superior Court of the State of
California, County of Alameda, Case No. RGO3109308 (co-lead counsel)

Edelson & Associates, LLC is currently serving as lead counsel in the following cases:

New England Carpenters Health Benefits Fund et al. v. First DataBank, Inc. and
Mckesson Corp., Civil Action No. 1:05-cv-11148, United States District Court for the
District of Massachusetts (settled for \$350 million) (co-lead counsel)

Electronic Connections Services, Corp. v. MSI Computer Corp., et al., Superior Court of
the State of California, County of Los Angeles, Case No. BC316232 (lead counsel)

Eric Schonning v. Jetway Computer Corp., Superior Court State of California, County of
Alameda, Case No.: RG05-214870 (lead counsel)

Electronic Connection Services Corp. v. MSI Computer Corp., Superior Court of the
State of California, County of Los Angeles, Case No.: RG316232 (lead counsel)

Gerald J. Normandin, Jr. v. Soyo Group, Inc., Superior Court of the State of California,
County of San Bernardino, Rancho Cucamonga, Case No.: RCV082128 (lead counsel)

Edelson & Associates, LLC is currently serving on the Executive Committee of the following cases:

In re Certainteed Corp. Roofing Shingle Product Liability Litigation, United States District Court Eastern District of Pennsylvania, MDL Docket No. 1817

In re HP Inkjet Printer Litigation, United States District Court Northern District of California (San Jose Division) Case No.: C053580JF

In addition to the above, Edelson & Associates, LLC is involved in numerous other cases in which it has no defined official title.

Marc H. Edelson is the founder of Edelson & Associates, LLC. Mr. Edelson is a graduate of The Wharton School of The University of Pennsylvania (B.S. 1984 cum laude) and The University of California, Los Angeles School of Law (J.D. 1987).

Liberato P. Verderame, of counsel to the firm, is a graduate of Villanova University (B.A. 1994) and Villanova University School of Law (1997).

Joseph P. Klein, of counsel to the firm, is a graduate of Temple University (B.A. 1986) and the Temple University School of Law (J.D. 1990).

Exhibit 2

Exhibit 3

Ross, et al. v. Bank of America, N.A. (USA), et al., No. 05 CV 07116 (WHP)

A related case in *In re Currency Conversion Fee Antitrust Litigation*, MDL No. 1409, Master File No. M21-95 (S.D.N.Y.)

Firm Name:

Reporting Period:

DESCRIPTION	TOTAL EXPENSES
Assessments	\$10,000.00
Legal Research -- Computer/Lexis/Westlaw	\$495.00
Court Fees	
Court Reporters/Transcripts	
Experts	
In-House Photocopying	
Outside Photocopying	
Postage/Express Mail/Messenger	
Long Distance Telephone/Facsimile	
Travel	\$359.04
Witness/Service Fees	
Other (describe)	
TOTALS	\$10,854.04