

THE HONORABLE RICHARD A. JONES
(On Reference to the Honorable S. Kate Vaughn)

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

CHRIS HUNICHEN, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ATONOMI LLC, a Delaware LLC, CENTRI
TECHNOLOGY, INC., a Delaware
Corporation, VAUGHAN EMERY, DAVID
FRAGALE, ROB STRICKLAND, DON
DELOACH, WAYNE WISEHART, WOODY
BENSON, MICHAEL MACKEY, and JAMES
SALTER,

Defendants.

No. 2:19-cv-00615-RAJ-SKV

DECLARATION OF ANGUS F. NI IN
SUPPORT OF CLASS REPRESENTATIVES'
MOTION FOR AN AWARD OF
ATTORNEYS' FEES AND EXPENSES

ATONOMI LLC, a Delaware LLC,

Counterclaimant,

v.

CHRIS HUNICHEN,

Counter-Defendant.

ATONOMI LLC, a Delaware LLC,

Third Party Plaintiff,

v.

DAVID PATRICK PETERS, SEAN
GETZWILLER, DAVID CUTLER, CHANCE
KORNUTH, and DENNIS SAMUEL
BLIEDEN,

Counter-Defendants.

1 I, Angus F. Ni, Esq., pursuant to 28 U.S.C. § 1746, hereby declare as follows:

2 1. I am admitted to practice law before the Western District of Washington. I am the
3 founding member of AFN LAW PLLC. (“AFN”), counsel of record for Class Representative
4 Chris Hunichen (“Hunichen”), and appointed Class Counsel for the Settlement Class. I
5 respectfully submit this declaration in support of the Class Representative’s Motion for an award
6 of fees.

7 2. As detailed in my prior Declaration in support of fees (Dkt. No. 309), the total
8 number of hours spent by AFN on this matter through December 6, 2022 was 1,109.1 hours with
9 a corresponding lodestar of \$613,590.20.

10 3. Since December 6, 2022, the total the total number of hours spent by AFN was
11 **61.6 hours representing \$38,837.50 of lodestar.** This summary was prepared from
12 contemporaneous, daily time records regularly prepared and maintained by AFN. The lodestar
13 amounts reflected below are for the benefit of the Settlement Class and certified Class. The hourly
14 rates underlying the lodestar figure of \$650 per hour (for myself) and \$425 (for junior attorneys)
15 are AFN’s regular hourly rates, which are based on comparable rates charged by firms in the field
16 of securities litigation and approved by courts in connection with contingency fee applications by
17 plaintiffs’ counsel in similar securities litigation matters.

18 4. Attorneys at my firm billed the following aggregate hours to this matter between
19 December 6, 2022, and the date of this filing:

Timekeeper	Type	Hours	Hourly Rate	Total
Angus F. Ni.	Attorney	56.3	\$595 ¹	\$36,595
Lawrence Yuan	Attorney	5.3	\$425	\$2,252.50
Total				\$38,847.5

27 ¹ Undersigned’s hourly rate has increased from \$595 in the prior fee submission to \$650 in 2023.

5. The total hours expended since the inception of this case are therefore 1,170.7 with a lodestar of \$652,427.70. This Court’s prior Order awarding fees in connection with the Partial Settlement resulted in AFN recouping approximately 75% of its lodestar in this matter.

6. Since the Court’s Order reimbursing expenses incurred by AFN through December 2022, (Dkt No. 316), AFN has also expended a further total of **\$2,211.24** in unreimbursed costs and expenses in connection with the prosecution of this Action. A summary of these costs and expenses are set forth below. They were incurred by AFN on behalf of the certified Class on a contingent basis, and have not been reimbursed. These expenses are reflected in the books and records of AFN. These books and records are prepared from receipts, check records and other source materials, and represent an accurate record of the expenses incurred:

Category	Expense
Document Hosting Review Software	\$2,194.00
Fees for obtaining documents from court	\$17.24
Total Expenses	\$2,211.24

7. AFN has also reimbursed JND Class Action Administration, the Court-appointed administrator in this matter, for an additional \$9,397.49 in costs for class notice and administration as required by this Court’s class certification Order (Dkt No. 246), and in giving notice of the Preliminary Approval of this settlement. These costs are separate from notice and administration costs incurred in connection with the earlier Partial Settlement, and relate only to the separate Litigation Class, now the subject of this settlement.

8. I have reviewed the time and expenses reported by AFN in this Action which are included in this declaration and exhibits, and I affirm they are true and accurate.

I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct. Executed on the 7th day of March, 2024 at Seattle, Washington.

By: /s/ Angus F. Ni
AFN LAW PLLC

Angus F. Ni, Esq.

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AFN DECL. ISO

MOTION FOR FEES AND EXPENSES - 3

No. 2:19-cv-00615-RAJ-SKV

AFN LAW PLLC

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