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Right of Publicity Plaintiffs Co-Class Counsel (EA Settlement Only)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EDWARD C. O'BANNON, JR., on behalf of
himself and all others similarly situated,

Plaintiffs,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION (NCAA); ELECTRONIC
ARTS, INC.; and COLLEGIATE
LICENSING COMPANY,

Defendants

SAMUEL MICHAEL KELLER, on behalf of
himself and all others similarly situated,

Plaintiffs,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION (NCAA); ELECTRONIC
ARTS, INC.; and COLLEGIATE
LICENSING COMPANY,

Defendants

Case No. 09-cv-1967 CW

**PLAINTIFFS' PETITION FOR COUNSEL
FEES AND COSTS**

Judge: The Honorable Claudia Wilken

Courtroom: 2, 4th Floor

Fairness Hearing: July 16, 2015 at 2 p.m

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN: NOTICE

IS HEREBY GIVEN that on July 16, 2015 at 2:00 pm or as soon thereafter as the matter may be heard by the Honorable Claudia Wilken, Plaintiffs seek an order granting the fee petition of Co-Class Counsel The McKenna Law Firm LLC and Lum, Drasco & Positan LLC and approving their reasonable attorneys' fees, costs, and expenses under 15 *U.S.C.* § 26, *Fed. R. Civ. P.* 54(d), and *Local Civil Rules* 54-1 and 54-5. Plaintiffs respectfully submit declarations of Dennis J. Drasco, Esq. and Keith McKenna, Esq. in support of this Petition for Fees and Costs. Awarding reasonable attorneys' fees and costs is required by statute and rule as well as the settlement with Defendant Electronic Arts, Inc., for which preliminary approval was granted on September 3, 2014 (Dkt 1177). Co-Class Counsel, The McKenna Law Firm LLC and Lum, Drasco & Positan LLC seek counsel of fees: \$883,177.00 (McKenna: \$645,052.50; and Lum: \$238,124.50), and expenses of \$13,741.77 (McKenna: \$6,434.64; and Lum: \$7,307.13). These amounts are amply supported by Co-Class Counsel's detailed time and accounting records as set forth in the accompanying declarations and exhibits. The nature of the work completed is also set forth and described in the attached declarations and exhibits.

Respectfully submitted,

/s/ Arthur M. Owens

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CERTIFICATE OF SERVICE

I, Arthur M. Owens, declare that I am over the age of eighteen (18) and not a party to the entitled action. I am a partner in the law firm of Lum, Drasco & Positan LLC, and my office is located at 103 Eisenhower Parkway Roseland, NJ.

On April 13, 2015, I caused below motion to be filed the with the Clerk of Court using the Official Court Electronic Document Filing System, which served copies on all interested parties registered for electronic filing.

PLAINTIFFS' PETITION FOR COUNSEL FEES AND COSTS AND SUPPORTING DECLARATIONS

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Arthur M. Owens
Arthur M. Owens