

1 JOHN A. GIRARDI, SBN 54917
2 **LAW OFFICES OF JOHN A. GIRARDI**
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6 SUPERIOR COURT OF THE STATE OF CALIFORNIA
7 COUNTY OF SANTA CLARA

8 EILEEN A. STAATS, on behalf of herself and
9 all others similarly situated,

10 Plaintiffs,

11 v.

12 CITY OF PALO ALTO; and DOES 1 through
13 100, inclusive,

14 Defendant.

Case No. 115-CV-284956

**DECLARATION OF JOHN A. GIRARDI
IN SUPPORT OF PLAINTIFF'S (1)
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT (2)
PLAINTIFF'S MOTION FOR FEES,
COSTS AND PLAINTIFF'S INCENTIVE
AWARD**

Action Filed: August 17, 2015

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DECLARATION OF JOHN A. GIRARDI

I, John A. Girardi, hereby declare:

1. I am the principal of the Law Offices of John Girardi. This firm has been existence since March 25, 2021. Prior to that I had worked as a lawyer at the firm of Girardi Keese since my admission to the Bar in December 1972. The court may be aware of the circumstances of the demise of the Girardi Keese firm (which was a sole proprietorship) and it is important to note that I had no role whatsoever in the events which precipitated the closure of the firm.

2. Since 1972 I have been engaged on behalf of plaintiffs in a wide range of civil matters involving both personal injury and business and mass tort cases. In the mass torts, I was lead counsel in matters involving business losses (Shumaker v MTA), fire losses (Arrowhead Fire cases) pharmaceutical products (Zometa litigation) and as well as being appointed as lead counsel in class actions.

3. I am a member of several trial lawyer organizations. Other work I have done as a civil lawyer is outlined in my declarations previously submitted to this Court at certification and preliminary approval.

4. While at Girardi Keese, with the departure of attorney Graham LippSmith in 2015, I became involved in the Staats matter as the supervising attorney for attorneys Alexandra Steele and Marina Pacheco. In this role I discussed and reviewed the work of Ms. Steele in light of the defenses raised by way of demurrer and summary adjudication and what was needed for class certification. The issues at the heart of the case, namely the application of the government code, the various types of claims and their viability, were challenging. A substantial effort was expended by Ms. Steele and Ms. Pacheco. I assisted by way of supervision of the work product and traveled to San Jose for multiple appearances including the case management conferences, the motion for summary adjudication, the motion for class certification and the mediation before retired Judge Sabraw at which time the fundamental agreement to settle the case was reached. As such, the Settlement reached with the guidance of Judge Sabraw, I believe to be fair, reasonable and adequate given the legal challenges presented and the risks associated with further litigation.

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5. I did not keep contemporaneous time sheets of the hours spent in the Staats litigation. I would conservatively estimate that I spent somewhere between 80 and 100 hours devoted to work on the Staats litigation. I have in the past billed at the rate of \$1000 per hour. Given that this is a class action, I have discounted that rate to \$750 per hour.

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

Executed this 10th day of August, in Los Angeles, California.

LAW OFFICES OF JOHN GIRARDI



JOHN A. GIRARDI