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7 *Lead Counsel for Lead Plaintiff*  
8 *and the Settlement Class*

9  
10 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
11 **OAKLAND DIVISION**

12 ALI ZAIDI, Individually and on Behalf of  
All Others Similarly Situated,  
13 Plaintiff,

14 vs.

15 ADAMAS PHARMACEUTICALS, INC.,  
16 *et al.*,  
17 Defendants.

Case No. 4:19-cv-08051-JSW

**NOTICE OF SUPPLEMENTAL FILING  
IN FURTHER SUPPORT OF LEAD  
COUNSEL'S MOTION FOR AN AWARD  
OF ATTORNEYS' FEES AND  
REIMBURSEMENT OF LITIGATION  
EXPENSES**

Hearing Date: September 27, 2024

Time: 9:00 a.m.

Location: Courtroom 5, 2nd Floor (Via Zoom)

Judge: Hon. Jeffrey S. White

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1 Court-appointed lead plaintiff Ralph Martinez (“Lead Plaintiff”), and his counsel, Glancy  
 2 Prongay & Murray LLP (“Lead Counsel”), respectfully submit this Notice of Filing in response to  
 3 the Court’s September 16, 2024, Order Requiring Detailed Billing Records (“Order Re: Billing  
 4 Records”; ECF No. 137).<sup>1</sup>

5 **I. INTRODUCTION**

6 On July 30, 2024, Lead Counsel filed their opening papers in support its request for  
 7 attorneys’ fees and reimbursement of Litigation Expenses on behalf of all Plaintiff’s Counsel.<sup>2</sup>  
 8 See ECF Nos. 134-135. On September 16, 2024, the Court issued its Order Re: Billing Records,  
 9 which required Plaintiffs’ Counsel “to submit detailed billing records so the Court may determine  
 10 an appropriate lodestar figure and calculation of expenses” by September 24, 2024. ECF No. 137.  
 11 By email dated September 19, 2024, the Court clarified that the records should be submitted via  
 12 email for the Court’s *in-camera* review. On September 20, 2024, the Court gave notice that the  
 13 Final Settlement Hearing would be held via Zoom, instead of in-person. ECF No. 140.

14 **II. NOTICE OF SUPPLEMENTAL FILING AND CHANGES TO THE  
 15 LODESTAR, EXPENSE AND MULTIPLIER FIGURES**

16 **A. Revised Lodestar Chart and New Multiplier**

17 In response to the Court’s Order Re: Billing Records, on September 24, 2024, Plaintiff’s  
 18 Counsel submitted to the Court their detailed billing records for *in camera* review. In reviewing  
 19 the records prior to submission, Lead Counsel noticed that its records contained two errors. These  
 20 errors resulted in an overstatement of Lead Counsel’s time by 78.8 hours, and, concomitantly, its  
 21 lodestar by \$53,340.00.<sup>3</sup> The errors have been remedied, and are reflected on the following charts:

22 \_\_\_\_\_  
 23 <sup>1</sup> Unless otherwise defined herein, all capitalized terms have the meanings set forth in the  
 24 Stipulation and Agreement of Settlement dated February 29, 2024 (ECF No. 124-1; the  
 25 “Stipulation”), or the Declaration of Leanne H. Solish in Support of (I) Lead Plaintiff’s Motion for  
 Final Approval of Class Action Settlement and Plan of Allocation, and (II) Lead Counsel’s Motion  
 for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses (ECF No. 135).

26 <sup>2</sup> Plaintiff’s Counsel are Lead Counsel, and Robbins Geller Rudman & Dowd LLP (“RGRD”).

27 <sup>3</sup> Upon further review of the time entries, Lead Counsel determined that 44.8 hours of time was  
 28 mistakenly entered twice and that 34.0 hours of paralegal time is arguably administrative in nature.  
 This time has now been removed.

**Glancy Prongay & Murray LLP**  
**REVISED LODESTAR REPORT**  
**FROM INCEPTION THROUGH JUNE 18, 2024**

<b>Timekeeper</b>	<b>Title</b>	<b>Rate</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>Total</b>	<b>Lodestar</b>
<b>Attorneys:</b>										
Robert Prongay	Partner	\$1,050	10.4	131.3	3.5		14.5	2.4	162.1	\$170,205.00
Joseph Cohen	Partner	\$1,195					52.0	1.5	53.5	\$63,932.50
Leanne H. Solish	Partner	\$925		168.5	220.5	64.8	154.1	28.4	636.3	\$588,577.50
Garth Spencer	Partner	\$925			78.4				78.4	\$72,520.00
Christopher Fallon	Senior Counsel	\$795		489.0	136.8	73.4	18.1	11.4	728.7	\$579,316.50
<b>Total Attorney</b>	<b>Total</b>		<b>10.4</b>	<b>788.8</b>	<b>439.2</b>	<b>138.2</b>	<b>238.7</b>	<b>43.7</b>	<b>1,659.0</b>	<b>\$1,474,551.50</b>
<b>Legal Support:</b>										
Harry Kharadjian	Senior Paralegal	\$350	3.0	10.25	6.25	4.00	15.5	5.5	44.5	\$15,575.00
Paul Harrigan	Senior Paralegal	\$325	7.6	5.9	12.8	3.40	1.6	7.2	38.5	\$12,512.50
Alexia Shiri	Paralegal	\$350				2.40	14.1	3.4	19.9	\$6,965.00
Michaela Ligman	Research Analyst	\$400	3.3	48.6	1.8		1.8	0.2	55.7	\$22,280.00
John D. Belanger	Research Analyst	\$365	3.5	40.0	0.5			1.5	45.5	\$16,607.50
<b>Total Legal Support</b>	<b>Total</b>		<b>17.4</b>	<b>104.75</b>	<b>21.35</b>	<b>9.8</b>	<b>33.0</b>	<b>17.8</b>	<b>204.1</b>	<b>\$73,940.00</b>
<b>Total Lodestar</b>	<b>Total</b>		<b>27.8</b>	<b>893.55</b>	<b>460.55</b>	<b>148.0</b>	<b>271.7</b>	<b>61.5</b>	<b>1,863.1</b>	<b>\$1,548,491.50</b>

**Category Key:**

- |   |
|---|
| 01. Initial Investigation & Lead Plaintiff Appointment                                    |
| 02. Preparation Of Complaints & Factual Investigation                                     |
| 03. Research & Briefing Motions To Dismiss  |
| 04. Discovery & Discovery Related Work  |
| 05. Mediation & Settlement  |
| 06. Misc. Court Filings, including but not limited to, Stipulations, Status Updates, etc. |

**REVISED LODESTAR REPORT FOR ALL PLAINTIFF’S COUNSEL  
FROM INCEPTION THROUGH JUNE 27, 2024**

LAW FIRM	LODESTAR
GLANCY PRONGAY & MURRAY LLP	\$1,548,491.50
ROBBINS GELLER RUDMAN & DOWD LLP	\$89,750.50
<b>TOTAL LODESTAR</b>	<b>\$1,638,242.00</b>

Because the lodestar number is reduced, the multiplier increases. The new multiplier, which remains fractional (or negative), is 0.95. As such, it continues to support the requested attorneys’ fee award. *See Ross v. Trex Co., Inc.*, 2013 WL 12174133, at \*1 (N.D. Cal. Dec. 16, 2013) (White, J.) (“Plaintiffs sought no extraordinary award of fees; to the contrary, they sought less than their lodestar, which further supports the reasonableness of the fees requested and awarded.”); *In re Portal Software, Inc. Sec. Litig.*, 2007 WL 4171201, at \*16 (N.D. Cal. Nov. 26, 2007) (“The resulting so-called negative multiplier suggests that the percentage-based amount is reasonable and fair based on the time and effort expended by class counsel.”).<sup>4</sup>

**B. Revised Expense Chart**

On September 24, 2024, Plaintiff’s Counsel submitted additional information to the Court regarding their expenses. Because the Final Settlement Hearing will be held via Zoom, rather than in-person, Plaintiff’s Counsel will no longer have to travel to the hearing. Accordingly, hotel and airline expenses related to the Final Settlement Hearing are not being sought. The revised figures are set forth in the following chart:

**EXPENSE REPORT BY CATEGORY FOR ALL PLAINTIFF’S COUNSEL  
FROM INCEPTION THROUGH JUNE 30, 2024**

CATEGORY OF EXPENSE:	AMOUNT
ATTORNEY SERVICE FEE	\$134.30
COURIER AND SPECIAL POSTAGE	\$144.85
EXPERTS - ECONOMETRICS (Loss Causation, Damages,	\$16,054.00

<sup>4</sup> Lead Counsel apologizes to the Court for the errors, and would note: (1) the time originally submitted to the Court was reviewed by Lead Counsel prior to submission; and (2) during the original review, Lead Counsel excluded 44.5 hours of time, equating to a lodestar of \$33,827.00. This included any timekeepers who billed less than 10 hours to the Action, as noted in the Declaration Leanne H. Solish filed with the Court on July 30, 2024. *See* ECF 135-3, ¶¶3-4.

1	Plan of Allocation)	
2	PRIVATE INVESTIGATOR FEES	\$40,161.25
3	MEDIATOR FEES	\$10,475.00
4	ONLINE LEGAL AND FACTUAL RESEARCH	\$11,237.83
5	PHOTOIMAGING	\$20.00
6	<b>GRAND TOTAL</b>	<b>\$78,227.23</b>

### III. CONCLUSION

Based on the foregoing and the entire record herein, Lead Plaintiff and Lead Counsel respectfully request that the Court: (i) approve the Settlement and Plan of Allocation as fair, reasonable, adequate, and in the best interest of the Settlement Class; (ii) award attorneys' fees to Lead Counsel in the amount of 33⅓% of the Settlement Fund, plus Plaintiff's Counsel's out-of-pocket expenses in the amount of \$78,227.23; and (iii) award \$10,000 to Lead Plaintiff (Ralph Martinez) as reimbursement for time spent representing the Settlement Class.<sup>5</sup>

DATED: September 24, 2024

**GLANCY PRONGAY & MURRAY LLP**

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*Counsel for Lead Plaintiff Ralph Martinez and  
Lead Counsel for the Settlement Class*

<sup>5</sup> A revised [Proposed] Order Awarding Attorneys' Fees and Reimbursement of Litigation Expenses is being submitted in conjunction with this filing. The [Proposed] Order reflects, *inter alia*, the new hours and lodestar figures.

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**PROOF OF SERVICE**

I hereby certify that on this 24th day of September, 2024, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

*s/ Leanne H. Solish*  
\_\_\_\_\_  
Leanne H. Solish