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8  
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**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

**IN RE INDYMAC ERISA  
LITIGATION**

**Master File No.: 08-04579 DDP(VBKx)**

**CLASS ACTION**

**CORRECTED JOINT DECLARATION  
OF JEFFREY G. LEWIS AND DEREK  
W. LOESER IN SUPPORT OF  
(1) PLAINTIFFS' MOTION FOR  
FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT,  
CERTIFICATION OF SETTLEMENT  
CLASS, AND APPROVAL OF PLAN  
OF ALLOCATION AND  
(2) PLAINTIFFS' MOTION FOR  
AWARD OF ATTORNEYS' FEES,  
REIMBURSEMENT OF EXPENSES,  
AND AWARD OF CASE  
CONTRIBUTION AWARDS**

**Date: Monday, January 10, 2011**

**Time: 11:00 a.m.**

**Courtroom: 3, 2nd Floor**

**Before the Hon. Dean D. Pregerson**

**JOINT DECLARATION OF JEFFREY G. LEWIS  
AND DEREK W. LOESER**

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I. THE FORMS AND METHODS OF NOTICE SATISFY RULE 23 AND DUE PROCESS .....1

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1  
2 Jeffrey G. Lewis and Derek W. Loeser declare pursuant to the penalties of  
3 perjury under 28 U.S.C. § 1746 as follows:

4 1. Jeffrey G. Lewis is a shareholder of Lewis, Feinberg, Lee, Renaker &  
5 Jackson, P.C. and a member in good standing of the State Bar of California. Derek  
6 W. Loeser is a partner of Keller Rohrback L.L.P. and a member in good standing  
7 of the State Bar of Washington. On October 7, 2008, the Court appointed our firms  
8 Interim Co-Lead Counsel for Named Plaintiffs Sam Zhong Wang and Jeffrey  
9 Washington (“Plaintiffs”). We have been personally involved in the litigation of  
10 this matter and are responsible for the prosecution of this action.

11 2. We submit this declaration in further support of Plaintiffs’ Motion for  
12 Final Approval of Class Action Settlement, Certification of Settlement Class, and  
13 Approval of Plan of Allocation and in support of Plaintiffs’ Motion for Award of  
14 Attorneys’ Fees, Reimbursement of Expenses, and Award of Case Contribution  
15 Awards. We have personal knowledge of the matters stated herein and, if called  
16 upon, we could and would competently testify thereto.

17 **I. THE FORMS AND METHODS OF NOTICE SATISFY RULE 23 AND**  
18 **DUE PROCESS**

19 3. In accordance with the Preliminary Approval Order, the Class has  
20 been provided with ample and sufficient notice of the Settlement, including an  
21 appropriate opportunity to voice objections. The notice plan fully informed Class  
22 Members of the lawsuit and the proposed Settlement, and enabled them to make  
23 informed decisions about their rights.

24 4. The parties’ notice plan, as approved by the Court and implemented  
25 by Class Counsel, consisted of: (1) mailing the Notice on November 4, 2010, to  
26 2,862 Class Members at their last known addresses provided by Principal Financial  
27 Group, the former record-keeper of the Plan; (2) electronic publication of the

1 Summary Notice on *Business Wire* on November 4, 2010; and (3) creation of a  
2 dedicated website administered by Class Counsel to provide information to Class  
3 Members, as well as establishing a toll-free telephone number that participants  
4 may call and an e-mail address that participants may e-mail to obtain information  
5 regarding the Settlement. *See* Affidavit of Jennifer M. Keough Regarding Notice  
6 Dissemination, attached as Exhibit 4 to the Final Approval Memo.

7 5. In summary, the Notice provided detailed information about the  
8 Settlement, including: (1) a comprehensive summary of its terms; (2) notice of  
9 Class Counsel's intent to request attorneys' fees of no more than 25% of the  
10 Settlement Fund, reimbursement of expenses, and case contribution awards for  
11 Named Plaintiffs; and (3) detailed information about the Released Claims. In  
12 addition, the Notice provided information about the Fairness Hearing date, Class  
13 Members' rights to object (and deadlines and procedures for objecting), and the  
14 procedure to receive additional information. It also provided Class Members with  
15 contact information for Class Counsel, information on the toll-free phone number  
16 and e-mail address for inquiries, and a website address for further information. The  
17 Summary Notice summarized the above information for purposes of publication.

18 6. The notice forms and methods used here are substantially similar to  
19 those successfully used and approved by courts in many other ERISA class  
20 settlements and satisfy the requirements of due process and Rule 23.

## 21 **II. THE PROPOSED PLAN OF ALLOCATION SHOULD BE APPROVED**

22 7. The proposed Plan of Allocation, attached as Exhibit 5 (Dkt. 130-6) to  
23 the Final Approval Memo, reflects Class Counsel's informed consideration of the  
24 relevant legal and factual matters pertaining to Class Members' claims. It provides  
25 recovery to Class Members, net of administrative expenses and attorneys' fees and  
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1 expenses that the Court may choose to award. Class Counsel have prepared similar  
2 plans for numerous other cases.

3 8. Defendants had no role in formulating the Plan of Allocation, nor do  
4 funds “revert” to Defendants as a result of it.

5 9. As stated in the Notice, the Net Proceeds will be allocated to Class  
6 Members on a pro rata basis such that the amount received by each Class Member  
7 will depend on his or her calculated loss, relative to the losses of other Class  
8 Members. In determining each Class Member’s loss for purposes of the Plan of  
9 Allocation, it will be assumed that all IndyMac stock held by the Plan was  
10 liquidated at the outset of the Class Period. The deemed liquidation amount for  
11 each Class Member will then be added to the dollar amount of each Class  
12 Member’s actual Class Period purchases of IndyMac stock. Then the actual  
13 proceeds received by a Class Member as a result of his or her disposition of  
14 IndyMac stock during the Class Period and the value of the IndyMac stock each  
15 Class Member held immediately after the end of the Class Period will both be  
16 subtracted to determine the Net Loss for each Class Member.

17 10. Class Members’ Net Losses will then be aggregated. Each Class  
18 Member will be assigned a Net Loss Percentage, reflecting the percentage of the  
19 Class Member’s loss in relation to the aggregate loss. Each Class Member’s share  
20 of the Net Settlement Fund will be equal to the Net Settlement Fund multiplied by  
21 the Class Member’s Net Loss Percentage.

22 11. The Allocation Administrator, in this case The Garden City Group,  
23 will mail checks in the amount of each Class Member’s share of the Net Settlement  
24 Fund. This is substantially the same methodology used in other company stock  
25 ERISA cases where the plan was terminated, including in *In re Polaroid ERISA*  
26 *Litigation*, No. 03-8335 (S.D.N.Y.). In that case, the methodology was employed  
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1 without objection from the DOL and any independent fiduciary and was approved  
2 by the court.

3 12. Class Counsel believe that the proposed Plan of Allocation is fair,  
4 reasonable, and not unduly complicated or expensive and accordingly urge the  
5 Court to adopt and approve it.

6 **III. TIME AND EFFORT DEDICATED TO THIS CASE**

7 13. Class Counsel have devoted significant time and effort to this case  
8 since July 2008, when the first complaint was filed. Class Counsel's efforts were  
9 intensive, carefully coordinated, and efficient.

10 14. To date, Class Counsel has devoted almost 2,200 attorney and  
11 professional hours to the prosecution of this case. These hours include time spent,  
12 among other things, conducting legal research; drafting the Consolidated  
13 Complaint; conferring with defense counsel about case matters, deadlines, and  
14 filings; negotiating the production of documents; reviewing documents; analyzing  
15 the available insurance policies; negotiating and drafting stipulated protective  
16 orders; drafting a mediation statement and participating in a mediation; negotiating  
17 the settlement; and preparing for Court hearings.

18 15. We have gathered and reviewed time and expense reports from our  
19 firms—Keller Rohrback L.L.P. and Keller Rohrback P.L.C. (our affiliated law firm  
20 in Phoenix, Arizona) (together, “Keller Rohrback”), and Lewis, Feinberg, Lee,  
21 Renaker & Jackson, P.C. (“Lewis Feinberg”)—as well as from Plaintiff's liaison  
22 counsel, Braun Law Group, P.C., and from Mower, Carreon & Desai, LLP  
23 (together with Class Counsel and Braun Law Group, “Plaintiffs' Counsel”), who  
24 did approved work on this case. These time and expense reports are summarized  
25 below.

26 16. Class Counsel worked diligently and efficiently on this case. We  
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1 carefully assigned work within our own firms to minimize the fees in the case;  
2 thus, senior attorneys did not do the work that could be accomplished by more  
3 junior attorneys, and attorneys did not do work that could be completed by  
4 paralegals. Throughout the litigation, we made sure that we litigated the action in  
5 the most efficient method possible. Nonetheless, the case required dedicated focus  
6 of a number of Keller Rohrbach and Lewis Feinberg attorneys who were called  
7 upon to counter the efforts of numerous prominent defense firms, each of which  
8 vigorously represented its clients. Indeed, Defendants were represented by  
9 Munger, Tolles & Olson LLP, Willkie Farr & Gallagher LLP, Covington &  
10 Burling LLP, and Corbin, Fitzgerald & Athey LLP—all well-known and respected  
11 firms.

12 17. Moreover, because the FDIC was appointed Receiver of IndyMac  
13 Bank, F.S.B. after it failed, Class Counsel also expended considerable hours  
14 litigating the claims Plaintiffs filed in the Receiver’s administrative proceedings,  
15 negotiating with the FDIC for documents and information related to this litigation,  
16 and working with the FDIC to obtain Class Member information and draft a  
17 stipulated protective order to ensure the privacy of this information pursuant to the  
18 Privacy Act.

19 18. Since the inception of this case and in accordance with their normal  
20 business practices, Plaintiffs’ Counsel have maintained detailed and  
21 contemporaneous records of the time spent by their lawyers, law clerks, paralegals,  
22 and certain other personnel on this action. Our timekeepers are required to keep  
23 daily time-records, both noting amounts of time spent on projects and providing  
24 descriptions of that work. These records then are computerized, checked, and  
25 maintained in databases. These systems allow us to be confident that the hours  
26 reported for this case are accurate.

1           19. The hourly rates charged by Plaintiffs' Counsel in this case are  
2 prevailing rates in each of their communities, have been approved in many judicial  
3 settlement hearings, and are consistent with rates approved in this Circuit and  
4 others in many recent class action cases.

5           20. Lewis Feinberg is an Oakland-based firm, and its rates are in line with  
6 the rates charged by other San Francisco-area firms and firms with substantial  
7 offices in the San Francisco area that represent clients in major class action and  
8 complex financial cases in districts across the country.

9           21. Keller Rohrbach is a Seattle-based firm, with additional offices in  
10 New York, Phoenix, and Santa Barbara, and its rates are in line with the rates  
11 charged by other Seattle-based firms and firms with substantial offices in Seattle  
12 that also represent clients in major class action and complex financial cases in  
13 districts across the country.

14           22. Both Braun Law Group and Mower, Carreon & Desai are Los  
15 Angeles-based firms, and their rates are in line with the rates charged by other Los  
16 Angeles-area firms and firms with substantial offices in the Los Angeles area that  
17 represent clients in major class action and complex financial cases in districts  
18 across the country.

19           23. General rate information for many major law firms is provided in the  
20 Annual Attorney Billing Survey, National Law Journal (2010), which is available  
21 online at <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202475563622>.  
22 According to the 2010 Survey, the rates of San Francisco-based firms Littler  
23 Mendelson P.C. and Townsend and Townsend and Crew LLP are between \$210  
24 and \$650 per hour, and \$260 and \$750 per hour, respectively. The rates of Seattle-  
25 based firms Perkins Coie LLP, Lane Powell PC, and Davis Wright Tremaine LLP  
26 are between \$200 and \$825 per hour, \$230 and \$600 per hour, and \$210 and \$795  
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1 per hour, respectively. The rates of Los Angeles-based firms Sheppard Mullin  
2 Richter & Hampton LLP, Buchalter Nemer, and Manatt, Phelps & Phillips, LLP  
3 are between \$270 and \$820 per hour, \$195 and \$625 per hour, and \$200 and \$850  
4 per hour, respectively.

5 24. Class Counsel's rates have been approved in complex and class action  
6 cases in this district and beyond and in ERISA class action cases throughout the  
7 country.

8 25. Class Counsel's rates are also comparable to rates charged by counsel  
9 with special expertise in complex ERISA, financial, and other class action  
10 litigation. The rates charged by counsel who specialize in large-scale, complex  
11 ERISA cases are relevant "because ERISA cases involve a national standard, and  
12 attorneys practicing ERISA in the Ninth Circuit tend to practice in different  
13 districts. Furthermore, ERISA cases are often considered to be complex, ERISA  
14 plaintiff cases are often undesirable, and Plaintiff's attorneys possess extensive  
15 experience in ERISA law." *Mogck v. Unum Life Ins.*, 289 F. Supp. 2d 1181 (S.D.  
16 Ca. 2003); *McAfee v. Metro. Life Ins. Co.*, 625 F. Supp. 2d 956, 975 (E.D. Ca.  
17 2008) ("ERISA cases involve a national standard."); *Welch v. Metro. Life Ins. Co.*,  
18 480 F.3d 942, 946 (9th Cir. 2007) ("Billing rates should be established by  
19 reference to the fees that private attorneys of an ability and reputation comparable  
20 to that of prevailing counsel charge their paying clients for legal work of similar  
21 complexity.").

22 26. As of December 1, 2010, Lewis Feinberg had spent a total of 489.70  
23 hours on this litigation. The total lodestar amount for the attorney and paralegal  
24 time based on the firm's current rates is \$206,370.00. These computations are  
25 itemized in Exhibit A hereto. For personnel who are no longer employed by the  
26 firm, the lodestar calculation is based upon the billing rates for such personnel in  
27

1 his or her final year of employment by Lewis Feinberg.

2 27. As of December 1, 2010, Keller Rohrback had spent a total of  
3 1,596.10 hours on this litigation. The total lodestar amount for the attorney and  
4 paralegal time based on the firm's current rates is \$626,755.50. These  
5 computations are itemized in Exhibit A hereto. For personnel who are no longer  
6 employed by the firm, the lodestar calculation is based upon the billing rates for  
7 such personnel in his or her final year of employment by Keller Rohrback.

8 28. As of December 1, 2010, Braun Law Group had spent a total of 19.67  
9 hours on this litigation. The total lodestar amount for the attorney and paralegal  
10 time based on the firm's current rates is \$10,358.75. These computations are  
11 itemized in Exhibit A attached to the Declaration of Michael D. Braun in Support  
12 of Plaintiffs' Motion for Award of Attorneys' Fees, Expenses and Case  
13 Contribution Award. For personnel who are no longer employed by the firm, the  
14 lodestar calculation is based upon the billing rates for such personnel in his or her  
15 final year of employment by Braun Law Group.

16 29. As of December 1, 2010, Aashish Y. Desai of Mower, Carreon &  
17 Desai had spent a total of 92.8 hours on this litigation. The total lodestar amount  
18 for Mr. Desai's time based on the firm's current rates is \$55,670.00. These hourly  
19 rates are supported by the Declaration of Aashish Y. Desai filed concurrently  
20 herewith.

21 30. Accordingly, the total lodestar of Plaintiffs' Counsel as of December  
22 1, 2010, was \$899,154.25, with a total of 2,198.27 hours spent. Below is a chart  
23 summarizing the lodestar calculations:  
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<b>Firm</b>	<b>Hours</b>	<b>Lodestar</b>
<b>Keller Rohrback</b>		
Attorneys	1,210.70	546,740.00
Professionals	385.40	80,015.50
Total	1,596.10	\$626,755.50
<b>Lewis Feinberg</b>		
Attorneys	456.40	199,433.00
Professionals	33.30	6,937.00
Total	489.70	\$206,370.00
<b>Braun Law Group</b>		
Attorneys	15.17	9,481.25
Professionals	4.50	877.50
Total	19.67	\$10,358.75
<b>Mower, Carreon &amp; Desai</b>		
Attorneys	92.8	55,670.00
Professionals	0	0
Total	92.8	\$55,670.00
<b>Total</b>	<b>2,198.27</b>	<b>\$899,154.25</b>

31. Significant additional attorney hours will be necessary after December 1, 2010, the date as of which the above numbers were compiled, to complete the remaining work on this case. In addition to incurring hours in connection with the final approval hearing, past experience suggests that we will spend a substantial amount of additional time over the next year or more following final approval responding to inquiries from Class Members, interacting with The Garden City Group (the Allocation Administrator), and generally overseeing implementation of the Settlement.<sup>1</sup>

<sup>1</sup> For example, in the Enron ERISA case, *In re Enron Corp. Sec., Derivative & "ERISA" Litig.*, No. 01-3913 (S.D. Tex.), in which Keller Rohrback was co-lead counsel, we are still responding to occasional inquiries from class members, advising the district court of our views on various implementation matters, and monitoring the docket, even though the court gave final approval to the settlement in 2007. In *In re The Goodyear Tire & Rubber Co. ERISA Litigation*, No. 03-

1           32. Plaintiffs' Counsel do not intend to apply for reimbursement of  
2 additional fees, substantial as they may be, incurred after final approval. However  
3 for purposes of evaluating the reasonableness of the 25% fee request and  
4 performing the lodestar cross-check, it is appropriate to consider the additional fees  
5 that Plaintiffs' Counsel will incur. Based on our experience in other cases of  
6 similar scope, Class Counsel conservatively estimate that, at a minimum,  
7 additional fees will be \$100,000. Thus, whereas the current lodestar is  
8 \$899,154.25, the actual lodestar will be at least \$999,154.25.

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10                   **IV. THE LODESTAR CROSS-CHECK CONFIRMS THE  
REASONABLENESS OF THE REQUESTED FEE**

11           33. Whether based on the current lodestar or the actual estimated lodestar  
12 taking into account future work following final approval, the lodestar cross-check  
13 confirms the reasonableness of the requested 25% fee (\$1,750,000). Based on the  
14 current lodestar, the 25% fee sought by Class Counsel represents a multiplier of  
15 1.95. Taking into account the estimated additional \$100,000 of fees, the 25% fee  
16 request represents a multiplier of 1.76. Either way, the multiplier is well within the  
17 typical range for cases of this type.

18           34. The reasonableness of the requested fee, under both the  
19 lodestar/multiplier and percentage of recovery analyses, is further bolstered by  
20 another metric: the lodestar as a percentage of the common fund. In effect, this  
21 metric combines the other two. If the lodestar is a small percentage of the common  
22 fund, a higher multiplier may be warranted. Conversely, if the lawyers' lodestar is  
23 a higher percentage of the recovery, a lower multiplier may be appropriate.

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26           2182 (N.D. Ohio), in which implementation of the plan of allocation was  
27 particularly complex in light of the length of the class period and changes to the  
retirement plans, Keller Rohrback incurred over \$700,000 in additional fees.



1 incurred in this case are reflected in the books and records of the firm, and are  
2 itemized in Exhibit B hereto. These books and records are prepared from expense  
3 vouchers and credit card records and are an accurate record of the expenses  
4 incurred.

5 40. Braun Law Group incurred a total of \$1,350.39 in unreimbursed  
6 expenses in connection with the prosecution of this litigation. The expenses  
7 incurred in this case are reflected in the books and records of the firm, and are  
8 itemized in Exhibit B attached to the Declaration of Michael D. Braun in Support  
9 of Plaintiffs' Motion for Award of Attorneys' Fees, Expenses and Case  
10 Contribution Award. These books and records are prepared from expense vouchers  
11 and credit card records and are an accurate record of the expenses incurred.

12 41. Mower, Carreon & Desai incurred a total of \$885.00 in unreimbursed  
13 expenses in connection with the prosecution of this litigation. Declaration of  
14 Aashish Y. Desai at ¶ 3.

15 42. Plaintiffs' Counsel's total expenses were \$97,671.04.

16 **VI. CASE CONTRIBUTION AWARDS ARE WARRANTED FOR THE**  
17 **NAMED PLAINTIFFS**

18 43. Class Counsel wish to acknowledge the considerable efforts in the  
19 action by Sam Zhong Wang and Jeffrey Washington, who are Named Plaintiffs  
20 and representatives for the Settlement Class. These individuals actively worked  
21 with Class Counsel, and provided information to help guide the case.

22 44. The Named Plaintiffs took time away from their work and family  
23 obligations to help achieve this excellent recovery on behalf of the Settlement  
24 Class. They stepped forward despite the stress and inconvenience of doing so, and  
25 fully supported the litigation efforts.

26 45. The Named Plaintiffs cooperated in gathering documents, kept abreast  
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1 of all major developments in the litigation, and received and reviewed major  
2 pleadings in the case. Without the effort and commitment of Mr. Wang and Mr.  
3 Washington, the Settlement Class would receive nothing.

#### 4 **VII. CONCLUSION**

5 46. To date, Plaintiffs' Counsel have received no compensation for either  
6 their time or expenses over the nearly three years that this case has been pending.  
7 Plaintiffs' Counsel's fees and expenses are totally contingent and dependent on a  
8 fee and expense award by this Court.

9 47. In undertaking to represent the Class, Class Counsel had to ensure that  
10 sufficient resources and funds existed at all times, not only to prosecute the  
11 litigation in a cost-effective manner, but also to compensate vendors and the  
12 experts that would soon be required had the case proceeded. The financial burden  
13 on contingent fee counsel is far greater than it is on firms that are paid on an  
14 ongoing basis throughout lengthy and complex litigation.

15 48. Class Counsel obtained the Settlement Fund of \$7 million for the  
16 Settlement Class despite significant litigation risks, a vigorous defense, and no  
17 guarantee that counsel would ever be compensated.

18 49. For the reasons discussed herein, the Settlement is a fair, adequate,  
19 and reasonable resolution of the claims against Defendants in this complex and  
20 hard-fought ERISA class action. The requested fees, expenses, and case  
21 contribution awards are well warranted. Thus, Plaintiffs and Class Counsel  
22 respectfully request that the Court grant their motions in their entirety.

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Executed in Oakland, California, on December 7, 2010.

\_\_\_\_\_/s/\_\_\_\_\_  
\_\_\_\_\_

Jeffrey G. Lewis

Executed in Seattle, Washington, on December 7, 2010.

\_\_\_\_\_/s/\_\_\_\_\_  
\_\_\_\_\_

Derek W. Loeser

# EXHIBIT A

#1483

LEWIS, FEINBERG, LEE, RENAKER &amp; JACKSON, P.C.

IN RE INDYMAC ERISA

LITIGATION

Fees &amp; Costs Summary through 12/1/2010

## 2010 Litigation Rates -- 6 minute increments

First Name	Last Name	Position	Billed Time	Rate	Billed Value
Jeffrey	Lewis	Shareholder & Attorney	51.70	\$785.00	\$40,584.50
Teresa	Renaker	Shareholder & Attorney	1.50	\$650.00	\$975.00
Todd	Jackson	Shareholder & Attorney	10.90	\$625.00	\$6,812.50
Margo	Hasselmann	Shareholder & Attorney	170.30	\$450.00	\$76,635.00
Catha	Worthman	Associate Attorney	0.40	\$425.00	\$170.00
Julia	Campins	Associate Attorney	0.50	\$375.00	\$187.50
James	Keenley	Associate Attorney	221.10	\$335.00	\$74,068.50
Darin	Ranahan	Law Clerk	2.20	\$210.00	\$462.00
Jessica	Stender	Law Clerk	0.40	\$210.00	\$84.00
Joshua	Davidson	Law Clerk	12.50	\$210.00	\$2,625.00
Sarah	Wright	Law Clerk	12.60	\$210.00	\$2,646.00
Elizabeth	Keenley	Paralegal	5.60	\$200.00	\$1,120.00
			<u>489.70</u>		<u>\$206,370.00</u>
				Costs	\$17,578.55
				Fees & Costs	<u><u>\$223,948.55</u></u>

**INDYMAC ERISA LITIGATION FEE REPORT**

**FIRM NAME:** Keller Rohrback LLP

**REPORTING PERIOD:** Inception - December 1, 2010

<b>Timekeeper</b>	<b>Hours</b>	<b>Rate</b>	<b>Lodestar</b>
<b>Attorneys:</b>			
Eric J. Fierro	1.00	\$345	\$ 345.00
Ben Gould	0.20	\$345	\$ 69.00
Gary Gotto	6.60	\$695	\$ 4,587.00
Ron Kilgard	3.60	\$695	\$ 2,502.00
Sarah Kimberly	743.35	\$360	\$ 267,606.00
Cari Campen Laufenberg	0.50	\$400	\$ 200.00
Beth Leland	0.70	\$625	\$ 437.50
Derek W. Loeser	120.90	\$645	\$ 77,980.50
David Preminger	0.30	\$695	\$ 208.50
Erin Riley	218.80	\$500	\$ 109,400.00
Lynn Lincoln Sarko	98.85	\$740	\$ 73,149.00
Margaret Wetherald	15.90	\$645	\$ 10,255.50
<b>Sub-Total:</b>	<b>1210.70</b>		<b>\$ 546,740.00</b>
<b>Professionals:</b>			
Elise Bigley	2.20	\$185	\$ 407.00
Jason Dillman	21.10	\$210	\$ 4,431.00
Sara Duncan	3.00	\$210	\$ 630.00
Ben Ellis	3.20	\$195	\$ 624.00
Holly Gale	1.20	\$185	\$ 222.00
Mark Gangl	5.40	\$200	\$ 1,080.00
Jennifer Hill	1.50	\$225	\$ 337.50
Erin Hoffrance	0.30	\$185	\$ 55.50
Cathy Hopkins	6.00	\$180	\$ 1,080.00
Anne Kent	0.50	\$185	\$ 92.50
David Mass	3.80	\$200	\$ 760.00
Nathan Moe	175.00	\$195	\$ 34,125.00
Milana Shenderovich	0.60	\$185	\$ 111.00
Jennifer Tuato'o	77.80	\$235	\$ 18,283.00
Graham VanLeuven	6.00	\$175	\$ 1,050.00
Joanne Wedemeyer	77.80	\$215	\$ 16,727.00
<b>Sub-Total:</b>	<b>385.40</b>		<b>\$ 80,015.50</b>
<b>TOTAL</b>	<b>1,596.10</b>		<b>\$ 626,755.50</b>

# EXHIBIT B

**INDYMAC ERISA LITIGATION EXPENSE REPORT**

**FIRM NAME:** Lewis, Feinberg, Lee, Renaker & Jackson

**REPORTING PERIOD:** April 1, 2009 - December 1, 2010

Description	Amount
Travel (Air fare, ground travel, meals, lodging)	\$ 2,102.65
Telephone/Facsimile	\$ 21.25
Postage/Express Delivery	\$ 216.95
Internal Copies	\$ 684.40
Experts/Consultants	\$ 8,984.20
Court Fees	
Court Reporters/Transcripts	
Process Services	\$ 22.05
Computer Research	
Mediation Services	\$ 5,525.00
Business Wire Notification	
Miscellaneous	
Interest on Loan for Credit	
Case Supplies	
<b>Total</b>	<b>\$ 17,556.50</b>

**INDYMAC ERISA LITIGATION EXPENSE REPORT**

**FIRM NAME:** Keller Rohrback LLP

**REPORTING PERIOD:** Inception - December 1, 2010

<b>Description</b>	<b>Amount</b>
Travel (Air fare, ground travel, meals, lodging)	\$ 15,833.36
Telephone/Facsimile	\$ 319.86
Postage/Express Delivery	\$ 856.42
Internal Copies	\$ 5,395.00
Experts/Consultants	\$ 32,133.98
Court Fees	\$ 829.50
Court Reporters/Transcripts	\$ 126.90
Process Services	\$ 2,165.00
Computer Research	\$ 9,359.28
Mediation Services	\$ 8,281.36
Business Wire Notification	\$ 1,740.00
Miscellaneous	
Interest on Loan for Credit	\$ 820.76
Case Supplies	\$ 17.73
<b>Total</b>	<b>\$ 77,879.15</b>