

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE CATTLE AND BEEF
ANTITRUST LITIGATION

Case No. 22-md-3031 (JRT/JFD)

This Document Relates To:

COMMERCIAL AND
INSTITUTIONAL INDIRECT
PURCHASER PLAINTIFF ACTION

**DECLARATION OF DAVID CIALKOWSKI IN SUPPORT OF
COMMERCIAL AND INSTITUTIONAL INDIRECT PURCHASER
PLAINTIFFS' MOTION FOR AN AWARD OF ATTORNEYS' FEES,
REIMBURSEMENT OF LITIGATION EXPENSES, SET ASIDE
FOR FUTURE LITIGATION EXPENSES, AND CLASS
REPRESENTATIVE SERVICE AWARD**

I, David Cialkowski, declare as follows:

1. I am an attorney admitted to practice in the District of Minnesota in the above-captioned lawsuit. I have practiced law since 1998 and am a partner with the firm of Zimmerman Reed, LLP in Minneapolis, Minnesota. I have litigated class actions and other complex matters most of my career. This declaration is submitted in support of Commercial and Institutional Indirect Purchaser Plaintiffs' Motion for an Award of Attorneys' Fees, Reimbursement of Litigation Expenses, Set Aside for Future Expenses, and Class Representative Service Awards.
2. My firm has worked in coordination with other co-counsel for the CIIPPs in this litigation. Work assignments in this case have been made by Interim Co-Lead Counsel

(Larson • King, LLP, Barrett Law Group, P.A., and Cuneo Gilbert & LaDuca, LLP) to avoid duplicative efforts and my firm has worked efficiently on behalf of our named representative client and the absent class members.

3. The schedule attached to this declaration as Exhibit A, and incorporated herein, is a summary of the amount of time spent by my firm's partners, attorneys, and professional support staff who were involved in this litigation through the end of August 2023. The lodestar calculation is based on my firm's current billing rates for antitrust class action litigation. Exhibit A was prepared from contemporaneous time records regularly prepared and maintained by my firm. The hourly rates for my firm's partners, attorneys, and professional support staff included in Exhibit A are the customary hourly rates charged for their services in similar complex litigation. In addition, my firm has submitted fee petitions in other cases that have reported hourly rates at amounts comparable to those sought here, and courts have approved an award of attorneys' fees in such cases.

4. The total number of hours reasonably expended on this litigation by my firm from inception through August 31, 2023 is 547.1. The total lodestar for my firm at current rates is \$292,163.50. Expense items are billed separately and are not duplicated in my firm's lodestar.

5. The expenses my firm incurred in litigating this action are reflected in the books and records of my firm. These books and records are prepared from expense vouchers, receipts, check records, and other source materials and accurately reflect the expenses incurred.

6. My firm has incurred and paid \$5,726.90 in expenses, all of which were reasonable and necessary for the prosecution of this litigation. A summary of those expenses by category is attached as Exhibit B. Assessments my firm paid to a litigation expense fund for this case are not included in Exhibit B and will be addressed separately in another declaration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: November 7, 2023
Hennepin County, MN

/s/ David Cialkowski
David Cialkowski

**In Re Beef and Cattle Antitrust Litigation
Commercial and Institutional Purchaser Plaintiff Action
Case No. 22-md-3031 (JRT/JFD)**

**EXHIBIT A
LODESTAR SUMMARY**

Firm: **Zimmerman Reed**
Reporting Period: **Inception – August 31, 2023**

Professional	Status	Hourly Rate	Total Hours To Date	Total Lodestar To Date
David M. Cialkowski	P	900.00	15.8	\$14,220.00
David M. Cialkowski	P	925.00	41.3	\$38,202.50
J. Gordon Rudd, Jr.	P	975.00	9.6	\$9,360.00
Ian F. McFarland	A	625.00	31.4	\$19,625.00
Ian F. McFarland	A	650.00	56.2	\$36,530.00
Zachary J. Freese	A	575.00	70.9	\$40,767.50
Jack D. Nelson	Atty	425.00	291.0	\$123,675.00
Julianne Van Norman	P	350.00	9.6	\$3,360.00
Heidi Juelich	P	350.00	.4	\$140.00
Amanda Klinger	LA	315.00	.9	\$283.50
Derek Dixon	Mktg	300.00	20.0	\$6,000.00
TOTALS			547.1	\$ 292,163.50

Status:

Partner (P)

Associate (A)

Paralegal (PL)

Of Counsel (OC)

Law Clerk (LC)

Legal Assistant (LA)

**In Re Cattle and Beef Antitrust Litigation
Commercial and Institutional Purchaser Plaintiff Action
Case No. 22-md-3031 (JRT/JFD)**

**EXHIBIT B
EXPENSE / DISBURSEMENT SUMMARY**

Firm: **Zimmerman Reed**
Reporting Period: **Inception – August 31, 2023**

EXPENSE	AMOUNT
Federal Express, Local Courier, etc.	\$0.00
Postage Charges	\$22.26
Facsimile Charges	\$0.00
Long Distance	\$0.00
In-House Photocopying	\$12.50
Outside Photocopying	\$0.00
Travel (Transportation, lodging, meals, etc.)	\$0.00
Court fees (filing, etc.)	\$0.00
Professional Fees (expert/investigators, etc.)	\$0.00
Witness/Service Fees	\$0.00
Court Reporter/Transcripts	\$0.00
Computer Research	\$1,973.06
Miscellaneous (Data Axle mailing list)	\$3,719.08
TOTAL	\$ 5,726.90