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 2 OF THE STATE OF WEST VIRGINIA
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 6 * Automatic *Pro Hac Vice* Admission
 Pursuant to Pretrial Order No. 1, Dated July 3, 2007
 7 *Attorney for Plaintiff, State of West Virginia*

8
 9 **UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
 CALIFORNIA (SAN FRANCISCO DIVISION)**

10 IN RE: TFT-LCD (FLAT PANEL)
 11 ANTITRUST LITIGATION

MASTER FILE NO. 07-md-1827-SI
 MDL File No. 1827
 CASE NO. 3:10-cv-3619 SI, MQ

12 This Document Relates to:

13 ALL INDIRECT-PURCHASER ACTIONS

14 *State of Missouri, et al. v. AU Optronics*
Corporation, et al.,
 15 Case No. 10-cv-03619 SI;

16 *State of Florida v. AU Optronics Corporation,*
et al.,
 17 Case No. 10-cv-3517 SI; and.

18 *State of New York v. AU Optronics Corporation,*
et al.,
 19 Case No. 11-cv-0711-SI.

**EXHIBIT 9 - DECLARATION OF
 DOUGLAS L. DAVIS IN SUPPORT OF
 THE STATES ATTORNEYS
 GENERAL'S MOTION FOR FEES AND
 ADDITIONAL COSTS**

Hearing Date: November 29, 2012
 Time: 3:30 p.m.
 Courtroom: 10, 19th Floor
 The Honorable Susan Illston

20
 21 I, Douglas L. Davis do depose and state that the following is true to the best of my
 22 knowledge and belief:

23
 24 1. I have served as Assistant Attorney General for the State of West Virginia since
 25 1996. I make this declaration based on my personal knowledge and in support of the Plaintiff
 26
 27

1 States' Petition for Award of Attorney Fees and Costs filed concurrently by the plaintiff States in
2 the above-entitled case. If called as a witness I could, and would, testify to the following facts.

3 2. I have been admitted to practice law in the State of Ohio since 1989, the State of
4 West Virginia since 1990 and the State of Kentucky since 1995. I also have been admitted to
5 practice before the following United States courts: S.D.W.Va. 1990; N.D.W.Va. 1993; E.D.KY
6 1995; S.D.OH 1995; N.D.OH 2002; 4th Cir.Ct.Appeals 1990.

7
8 3. West Virginia became involved in this case in February, 2009. No other attorneys
9 employed by the Office of the Attorney General of the State of West Virginia who devoted time
10 to this case seek fees in the Joint Application. Similarly, no paralegals or assistants employed by
11 the Office of the Attorney General of the State of West Virginia who devoted time to this case
12 seek fees.

13
14 4. Pursuant to the Court's Order, the State of West Virginia has prepared
15 contemporaneous time and expense records, and has periodically submitted those records to the
16 Missouri Attorney General's Office. A summary of the State of West Virginia's time and expense
17 records for both pre- and post-complaint period are attached as part of composite Exhibits 1-C
18 and 1-D.

19
20 5. Together with other States joining the Joint Application, West Virginia participated
21 in the pre-complaint investigation of the defendants' alleged price-fixing of TFT-LCD panels and
22 products. West Virginia's participation commenced in February, 2009. West Virginia's pre-
23 complaint investigation included the following activities:

24 a) Review of documents relating to alleged conduct of defendants;

1 b) Review and execution of common interest and cost share agreements with
2 the multistate group;

3 c) Investigation of state purchases and potential damages; and

4 d) Drafting of memoranda and conferences with management regarding the
5 status of the investigation.
6

7 6. After the commencement of the litigation with other States in the Northern District
8 of California, West Virginia has continued to participate in the litigation of the matter and has
9 been particularly active in matters surrounding discovery issues, both offensive and defensive
10 including the following:

11 a) Obtaining and collection state agency data and documents. More than 16
12 boxes of documents were collected by my office, numbered and produced to the defendants.
13 West Virginia agencies did not keep their records electronically. Thus, this was a manual
14 process;
15

16 b) Responding to written defensive discovery requests;

17 c) Negotiating with defense counsel regarding discovery requests including the
18 scope and subject areas for deposition inquiry;

19 d) Preparing for and defending an agency deposition; and

20 e) Reviewing thousands of documents.
21

22 7. West Virginia participated in the settlement processes for both pre-litigation and
23 post-litigation settlements, including reviewing and commenting on drafts of settlement
24 documents.
25
26

1 8. The total number of hours expended to date by West Virginia on this investigation
2 and litigation is 370.05 attorney hours. Using the Laffey Matrix as increased by the 9 percent
3 San Francisco adjustment results in \$191,593.39 in attorney fees. Included with this Motion as
4 Exhibit 1-C attached to the Joint Declaration of Lizabeth A. Brady and Anne E. Schneider is a
5 more detailed breakdown of West Virginia's time and billing rates.
6

7 9. All of the foregoing time spent by employees of the West Virginia Attorney
8 General's office in connection with this litigation was reasonable and necessary and appropriate
9 for the successful litigation and resolution of this action.

10 10. The hourly rates billed by West Virginia for attorney time vary based upon the
11 level of experience and expertise of the declarant, reflecting the prevailing rates charged by
12 attorneys in San Francisco, California.
13

14
15 Dated: September 7, 2012

16 STATE OF WEST VIRGINIA ex rel.
17 DARRELL V. McGRAW, JR.,
18 ATTORNEY GENERAL

19 By Counsel,

20 _____
21 /s/ Douglas L. Davis
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