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5 Co-Lead Counsel for Plaintiffs  
and the Certified Plaintiff Class

7 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
8 COUNTY OF SAN FRANCISCO

9 JOEL I. ROOS and TOM SANTOS, on  
10 behalf of themselves and all others similarly  
11 situated,

12 Plaintiffs,

13 v.

14 HONEYWELL INTERNATIONAL, INC.  
15 and DOES 1-100, inclusive,

16 Defendants.

Case No. CGC-04-436205

**DECLARATION OF ADAM C. BELSKY  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR ATTORNEYS' FEES AND  
REIMBURSEMENT OF COSTS**

Date: May 2, 2014  
Time: 9:00 a.m.  
Dept: 304  
Judge: Hon. Curtis E.A. Karnow

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1 I, ADAM C. BELSKY, declare:

2 1. I am an attorney at law duly admitted to practice in California and a partner of Gross  
3 Belsky Alonso LLP, counsel of record for plaintiff Joel Roos and the Certified Class (“Plaintiffs” or  
4 “Class”). This declaration is submitted in support of Plaintiffs’ Motion for Attorneys’ Fees and  
5 Reimbursement of Costs. I have personal knowledge of the facts herein, and if called to do so, could  
6 and would competently testify thereto.

7 2. My firm has substantial experience in antitrust cases, including other types of class  
8 action and complex litigation. We have litigated numerous indirect-purchaser antitrust class actions  
9 similar to this case in state and federal courts. In California state court indirect-purchaser actions, we  
10 have served as Co-Lead Counsel in *In re DRAM Antitrust Litigation*, as Liaison Counsel in *In re*  
11 *Automotive Paint Antitrust Action*, as Co-Liaison Counsel in *The Carbon Fiber Antitrust Cases*, as  
12 Co-Chair of the Steering Committee in *Microsoft Antitrust Class Action Litigation*, and on the  
13 executive committee in *Flat Glass Antitrust Litigation*, *Sanitary Paper Antitrust Litigation*, *Vitamin*  
14 *Cases Antitrust Litigation*, and *Cosmetics Antitrust Litigation*. A copy of the firm’s resume is  
15 attached hereto as Exhibit 1.

16 3. This firm has devoted extraordinary efforts and resources on behalf of the class  
17 members over the course of this litigation.

18 4. The following summarizes the work performed by the firm in connection with  
19 litigating this matter: represented Plaintiff Joel Roos, conducted an initial investigation and  
20 evaluation of the case, participated in motion practice to amend the complaint and substitute Joel  
21 Roos as a named plaintiff, prepared for and defended the deposition of Mr. Roos, handled Mr. Roos’  
22 responses to discovery propounded by defendant, participated in the preparation of discovery  
23 requests and responses including third-party discovery, participated in the review of defendant’s  
24 voluminous document productions, conducted certain meet and confers with defendant and prepared  
25 certain discovery motions and oppositions, prepared for and took depositions including the  
26 deposition of a key employee of defendant concerning defendant’s destruction of transactional  
27 records, prepared successful opposition to defendant’s anti-SLAPP motion, substantially participated  
28 in preparation of successful opposition to defendant’s summary judgment motion, substantially

1 participated in preparation of reply brief in support of plaintiffs' successful class certification motion,  
2 substantially participated in preparation of successful oppositions to defendants' writ petitions,  
3 participated in the preparation and negotiation with defendant of joint case management conference  
4 statements, appeared at case management conferences and motion hearings, worked with experts  
5 concerning damages analysis, presented ex parte applications, attended the parties' mediation,  
6 conducted settlement negotiations with defendant, and coordinated with co-counsel concerning  
7 prosecution of the case and strategy.

8         5. In addition to the work described above, this firm thoroughly evaluated the  
9 Settlement Agreement entered into with Defendant Honeywell International, Inc. We find it to be  
10 fair, adequate and reasonable.

11         6. This firm kept files contemporaneously documenting all time spent, including tasks  
12 performed and expense incurred, in this matter. All of the time and expenses reported were incurred  
13 for the benefit of the Class. This firm represented Plaintiffs and the Class on a wholly contingent  
14 basis, dependent on the success of the litigation. To date, this firm has not received any  
15 compensation for its litigation efforts. Litigating this case over the course of nine years was time and  
16 resource intensive. This firm was precluded from accepting and pursuing other legal work, including  
17 hourly work for which it would have been compensated, while it devoted its time and resources to  
18 this matter.

19         7. The total number of hours spent on this litigation, from inception, by attorneys and  
20 paralegals at this firm is 3,376.3. Time spent preparing the fee motion and related documents is not  
21 included.

22         8. The total lodestar for this time, calculated at the firm's current hourly rates, is  
23 \$1,535,632.50. These rates are the same as those rates charged to the firm's hourly clients.

24         9. Additionally, based on my 25 years of experience litigating antitrust and class action  
25 lawsuits, the rates being charged by my firm reflect the market rate for litigating complex antitrust  
26 cases. Similar hourly rates have been approved for my firm by several courts in connection with  
27 prosecuting class action cases.

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1           10. Attached as Exhibit 2 is a summary schedule showing the total time spent by each  
2 attorney and paralegal at this firm during the course of the litigation, along with their hourly rates and  
3 individual lodestar figures.

4           11. The total amount of expenses incurred by this firm in connection with the prosecution  
5 of this litigation is \$61,854.41. To date, this firm has not been reimbursed for any of these costs.  
6 Expense items are billed separately and are not duplicated in my firm's lodestar.

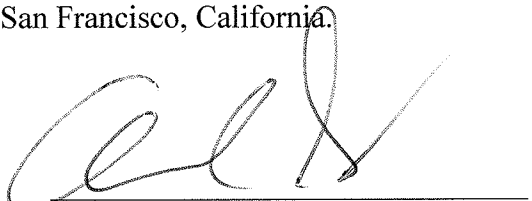
7           12. Attached as Exhibit 3 is a summary schedule showing the total expenses incurred by  
8 category.

9           13. The figures presented in Exhibits 2 and 3 attached hereto exclude time and expenses  
10 incurred litigating the New York, Maine and Massachusetts cases.

11           14. These expenses are reflected in the books and records of this firm that are maintained  
12 in the ordinary course of business. The books and records are prepared from invoices, check records,  
13 receipts, expense vouchers and similar items, and are an accurate record of the expenses incurred.

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

16           Executed this 22<sup>nd</sup> day of April, 2014, at San Francisco, California.

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ADAM C. BELSKY

**DECLARATION OF ADAM C. BELSKY IN SUPPORT OF PLAINTIFFS'  
MOTION FOR ATTORNEYS' FEES AND REIMBURSEMENT OF COSTS**

# **EXHIBIT 1**

# GROSS BELSKY ALONSO LLP

One Sansome Street, Suite 3670  
San Francisco, California 94104  
Tel: (415) 544-0200 | Fax: (415) 544-0201

Gross Belsky Alonso LLP is a general practice, public interest law firm located in San Francisco, California. The firm has earned a national reputation in constitutional, international, intellectual property law, and class actions, deploying creative and winning legal strategies, and high caliber academic and professional achievement. The firm's work is distinctive and varied, ranging from intellectual property and Internet law, media law, including plaintiffs' defamation and privacy, constitutional law and entertainment law, to plaintiffs' class actions for consumer fraud and antitrust violations, complex litigation, international law and commercial litigation. The firm practices in both trial and appellate courts and has diverse clientele, including foreign governments and national corporations. The bulk of the practice focuses on the representation of individuals and small companies across a spectrum of litigation.

## PRACTICE AREAS

### **Class actions**

The firm represents the rights of consumers in class actions, primarily those involving consumer fraud or antitrust violations. The firm holds or has held leadership roles in the following cases:

Chair, Indirect Purchaser Plaintiffs' Executive Committee, *DRAM Antitrust Litigation* (U.S. District Court, San Francisco), and Co-Liaison Counsel (California Superior Court, San Francisco), a nationwide class action concerning price-fixing of computer memory;

Liaison Counsel for the end-user class, *In re Automotive Paint Antitrust Action* (California Superior Court, Alameda), recovering \$10 million for price-fixing in automotive paint;

Liaison Counsel and Settlement Class Counsel, *Perish v. Intel Corp.* (California Superior Court, Santa Clara), a consumer fraud class action;

Co-Chair of the Steering Committee, *Microsoft Antitrust Class Action Litigation* (California Superior Court, San Francisco), an antitrust action based on Microsoft's monopolization of the personal computer operating system and software market, which recovered \$1.1 billion for California consumers;

Co-Lead Counsel, *Lea v. Pacific Bell* (California Superior Court, San Francisco), a consumer fraud and unfair competition class action;

Executive Committee and co-trial and appellate counsel, *Wisper v. Old Republic Title Company* (California Superior Court, San Francisco), an unfair competition and consumer fraud class action resulting in a \$21 million recovery after trial, affirmed on appeal;

Co-Liaison Counsel, *The Carbon Fiber Cases* (California Superior Court, San Francisco), a class action for price-fixing in the sale of carbon fiber products.

Executive Committee, *Flat Glass Antitrust Litigation*, *Sanitary Paper Antitrust Litigation*, *Vitamin Cases Antitrust Litigation*, and *Cosmetics Antitrust Litigation*, antitrust

actions challenging price-fixing in the glass, sanitary paper, cosmetics and vitamin industries; Executive Committee, *Providian Credit Card Cases* (California Superior Court, San Francisco), an unfair competition, false advertising and consumer fraud action; and Executive Committee, *The Clergy III Cases* (California Superior Court, Alameda), a consolidated proceeding involving clergy abuse cases against all Roman Catholic dioceses in northern California.

The firm is also counsel in numerous class actions challenging price-fixing, particularly in the technology and travel industries, including:

*In re Flash Memory Antitrust Litigation;*  
*In re TFT-LCD (Flat Panel) Antitrust Litigation;*  
*In re Cathode Ray Tube (CRT) Antitrust Litigation;*  
*In re Static Random Access Memory (SRAM) Antitrust Litigation;*  
*In re Air Cargo Shipping Services Antitrust Litigation;*  
*In re International Air Transportation Surcharge Antitrust Litigation;*  
*In re Chocolate Confectionary Antitrust Litigation;*  
*In re Vitamin Cases*  
*Cosmetics Antitrust Litigation*  
*Automobile Antitrust Cases*  
*Smokeless Tobacco Antitrust Litigation*  
*Polyester Staple Cases*

### **Constitutional law**

The firm represents individuals and companies on constitutional issues, primarily in the areas of free speech, police misconduct, freedom of religion, and due process. Recent highlights include representing two different photo-journalists in cases against the police concerning media access to and ability to cover breaking news events; providing successful pro bono representation to an internet journalist sued by Apple for trade secret misappropriation where the journalist was reporting newsworthy information lawfully obtained through normal newsgathering techniques; and representing individuals in police misconduct civil rights actions. Members of the firm were lead counsel in a First Amendment and equal protection challenge to the large-scale relocation of Navajo elders from their ancestral homelands at Big Mountain, Arizona; successfully challenged Pan American World Airways' policy during the first Gulf War against granting passage to any Iraqi nationals; represented the widow of Salvador Allende, the slain president of Chile, in the first successful challenge to the government's ideological exclusion policy; represented Muslim inmates in a successful appeal in a religious discrimination case; and serve as special counsel in criminal cases on constitutional issues such as double jeopardy and free speech. Members of the firm have represented non-traditional religions in actions implicating religious freedom, due process and improper government activity, including representing a channeler accused of copyright infringement, precipitating a First Amendment defense, and actively represents victims of clergy abuse. Mr. Gross has engaged in significant complex litigation nationally on behalf of private clients and civil liberties organizations, including the National Emergency Civil Liberties Committee, the Bill of Rights Foundation, and the Electronic Frontier Foundation.

### **Intellectual property**

The firm has an active practice in trademark, copyright, trade secrets, unfair competition, and other intellectual property rights, including the interplay of such rights with the Internet. As co-counsel with the Electronic Frontier Foundation, the firm defended Reverend Billy, an anti-consumerism activist, against copyright infringement claims. As General Counsel to Burning Man, the internationally known arts and community event, the firm has represented the event in litigation over the event's trademarks, successfully defeating competing claims to the marks, and regularly has advised and represented Burning Man in both negotiations and litigation concerning trademark, copyright and privacy issues. Other representative engagements include successfully representing an Internet journalist wrongfully sued by Apple Computer for trade secret misappropriation; representing The New York Times and several Business Week journalists against Hewlett-Packard, seeking and obtaining damages when HP illegally obtained private telephone records of the journalists in an attempt to learn the trade secrets of the identities of the journalists' sources; representing the estate of Norma Millay Ellis relating to the sale of the literary properties of Edna St. Vincent Millay; and litigation relating to the sublicense of patent rights and contract negotiations for the sale of biotechnology development rights for a French biotechnology company. The firm, representing Quokka Sports, Inc. and the America's Cup, obtained an injunction against a cybersquatter on the *americascup.com* domain name, in one of the first cases filed under the Anticybersquatting Consumer Protection Act. The firm represented the Republic of South Africa concerning the domain name *southafrica.com*, and before the World Intellectual Property Organization and ICANN.

### **International law**

The firm represents public and private clients on international law issues. The firm has an active practice in defending sovereign nations against private party lawsuits and attempts to execute on sovereign property, as well as in enforcing judgments against foreign nations. The firm represented the Bolivian national telephone company and, in proceedings in New York and London, successfully overturned attachment orders seizing the telephone company's assets, issued after it had been nationalized. In representation of Cuba's national telephone company, the firm successfully overturned the attempted garnishment of the telephone company's assets to satisfy a judgment against the Republic of Cuba. The firm represented the Ukrainian space agency in defending against execution of an arbitration award based on a failed satellite launch. The firm represented the Republic of South Africa concerning the domain names *southafrica.com* and *southafrica.info*. The firm represents and advises other sovereign and quasi-sovereign entities on issues of sovereignty and constitutional law. Members of the firm have represented foreign companies in contract negotiations with U.S. companies and in matters relating to their U.S. subsidiaries. The firm has an active practice in providing advice and obtaining licenses for transactions with countries subject to trading restrictions.

### **Media law/defamation**

The firm represents plaintiffs in defamation and privacy actions against national and local news media. The firm also actively represents clients prior to the publication of potentially inflammatory articles in negotiations with news media to ensure that inaccurate information is not published. Representative engagements include the joint representation of Spike Lee in obtaining a preliminary injunction against Viacom for



infringing on Spike Lee's right of publicity when it used his name for a cable channel; the joint representation of Gianni Versace s.P.a. and the Versace family in successfully stopping the publication of a defamatory book that also invaded the Versace family's privacy; obtaining a significant settlement on behalf of child abuse victims who testified at the criminal trial of their abuser, from two television stations that broadcast images identifying the victims; advising the Burning Man arts and performance festival on a variety of media issues, including against MTV, where the firm successfully precluded the planned broadcast of footage taken at the Burning Man event without Burning Man's consent, and against Voyeur Video, where the firm forced a video company that was distributing videos of Burning Man participants without Burning Man's permission to cease all such distribution and destroy all videos; the representation of a colleague of Bertrand Russell in a defamation action that resulted in the recall of all copies of the offending book; and representation of O.J. Simpson in a suit to prevent the broadcast of a movie based on improperly obtained attorney-client communications. In a special appointment by the California Attorney General, the firm represented the People of California and the listeners of Pacifica Radio in successfully overturning a takeover of the Pacifica corporation. The firm also advises media entities and authors on defamation and libel clearance. The firm regularly represents journalists and authors in areas concerning their work and their employment by media entities.

#### **Commercial litigation and transactions**

The firm engages in general commercial litigation on behalf of private clients. Members of the firm have represented foreign banks, primarily government-owned, in litigation involving suits against the banks, as well as in litigation for the banks against borrowers to recover funds; represented borrowers suing banks for nonperformance; and advised borrowers and assisted in negotiations with their lenders in revising the terms of credit. The firm regularly represents corporate clients in breach of contract litigation, for example, obtaining a \$26 million interim award in an international commercial arbitration. The firm regularly advises clients in seeking and negotiating business resolutions to disputes short of litigation.

#### **Entertainment law**

The firm represents authors, musicians, artists, circus performers and their agents in negotiating contracts, including contracts for performance, publication, and sale of motion picture and television rights. Representative clients have included Spike Lee (obtained an injunction against the use of his name for the name of a cable channel), and Robin Finck, lead guitarist for the bands Guns 'N Roses and Nine Inch Nails.

#### **Employment law**

The firm actively represents both employers and employees in suits for employment discrimination, wrongful termination, and sexual harassment. The firm also provides counseling with respect to matters of hiring, compensation and severance.

#### **Appellate**

The firm represents and advises clients in civil and criminal state appellate proceedings at the federal and state levels. Significant representations include overturning the conviction of a wrongfully convicted indigent defendant because the conviction was based on improperly admitted evidence of poverty, *United States v. Mitchell*, 172 F.3d 1104 (9<sup>th</sup> Cir. 1999); overturning the attempted garnishment of a Cuban telephone

company's assets to satisfy a judgment against the Republic of Cuba, *Alejandro v. Republic of Cuba*, 183 F.3d 1277 (11<sup>th</sup> Cir. 1999); upholding dismissal of a lawsuit against the Republic of South Africa that sought a declaration that South Africa has no rights to the internet domain name *southafrica.com*, *Virtual Countries, Inc. v. Republic of South Africa*, 300 F.3d 230 (2d Cir. 2002); and upholding a trial award of \$21 million in a consumer fraud class action, *State v. Pricewaterhouse Coopers LLP*, 125 Cal. App. 4<sup>th</sup> 1219 (2005).

### **Sexual Abuse and Clergy Abuse**

The firm represents victims of sexual abuse and clergy abuse in litigation against their abusers. The firm was a member of the Plaintiffs' Executive Committee in the coordinated litigation of all cases in northern California against the Roman Catholic Church for childhood sexual abuse by clergy members, and actively represents other individual plaintiffs in matters involving childhood sexual abuse and abuse by clergy of other faiths.

### **Probate litigation**

The firm represents both claimants and personal representatives in estate and trust litigation, including will contests and claims against estates.

### **Mediation/alternative dispute resolution**

Mr. Gross and Mr. Belsky provide mediation services and regularly assist in obtaining settlements in diverse lawsuits, including class actions, trade secrets, wrongful termination, labor, commercial, and real estate matters.

## **ATTORNEY BIOGRAPHIES**

### **TERRY GROSS**

Throughout his career, Mr. Gross has engaged in significant complex litigation nationally on behalf of both private clients and civil liberties organizations, including the National Emergency Civil Liberties Committee and the Bill of Rights Foundation, in matters ranging from private commercial disputes to actions implicating important constitutional issues. He has been named a Northern California Super Lawyer.

Mr. Gross has an extensive focus on the changing face of copyright, trademark and media law in the digital age. Mr. Gross' first degree and career was in computer science and his experience as a systems programmer for IBM, a systems analyst at University of California Medical Center and as the director of data processing for a local governmental agency gave him early expertise in the developing computer field. Since that time, and aided by his educational and professional experience, Mr. Gross has been an active force in the field of Internet law. He was the first general counsel to the Electronic Frontier Foundation, a civil liberties organization focusing on first amendment issues surrounding Internet-based technology. Recently, he represented Think Secret, an online journalist improperly sued by Apple for trade secret misappropriation, counterattacking by seeking sanctions against Apple for filing a lawsuit without merit, as under the First Amendment publishers and journalists have the right to disseminate information lawfully obtained by them. He has successfully defended an internet service provider sued by a software industry group for copyright infringement, represents content providers in negotiations with networks, and litigates jurisdictional issues raised by Internet activity.

Mr. Gross has extensive experience in matters of intellectual property. As General Counsel to Burning Man, the internationally known arts festival, he has negotiated, advised and litigated numerous trademark, copyright and privacy matters on its behalf, including a successful defense of a lawsuit challenging the event's major trademarks. Other significant engagements include representation of one of the world's largest watch manufacturers in a trademark infringement action; the Estate of Norma Millay Ellis relating to the sale of the literary properties of Edna St. Vincent Millay; and a French biotechnology company in litigation relating to the sublicense of patent rights, and in contract negotiations about the sale of biotechnology development rights. Mr. Gross actively advises and litigates on trademark and copyright issues. He also represents authors, artists, performers and their agents in negotiating contracts for publication, performance, and sale of motion picture and television rights.

Mr. Gross regularly represents journalists and media organizations. In 2008, he represented The New York Times and several Business Week journalists against Hewlett-Packard, seeking and obtaining damages when HP illegally obtained private telephone records of the journalists in an attempt to learn the trade secrets of the identities of the journalists' sources. He is currently representing two photojournalists in lawsuits against the police concerning media access to and ability to cover breaking news events. He also advises media entities on defamation and libel clearance, and actively represents plaintiffs in defamation cases involving national and local news media. Mr. Gross represents clients prior to the publication of potentially inflammatory articles in negotiations with news media to ensure the publication of accurate information.

Mr. Gross has a varied practice in public international law. He recently represented the national telephone company of Bolivia, and in proceedings in New York and London successfully overturned attachment orders of the telephone company's assets, issued after the

telephone company had been nationalized. Among other engagements, he has been lead counsel and adviser to the Republic of Panama, its agencies and its Mission to the United Nations; represented the Cuban national telephone company and successfully overturned the attempted garnishment of its assets to satisfy a judgment against the Republic of Cuba; and represented the Republic of South Africa in lawsuits concerning Internet activity and domain names. Mr. Gross represents foreign companies in contract negotiations with U.S. companies and in matters relating to their U.S. subsidiaries, and provides advice and obtains licenses for transactions with countries subject to trading restrictions.

Mr. Gross is also active in class action cases, predominantly in the areas of antitrust and consumer fraud, including the following: Chair, Indirect Purchaser Plaintiffs' Executive Committee, In re DRAM Antitrust Litigation, a nationwide class action concerning price-fixing of computer memory; Liaison Counsel for the end-user class, In re Automotive Paint Antitrust Action, recovering \$10 million for price-fixing in automotive paint; Liaison Counsel and Settlement Class Counsel, Perish v. Intel Corporation, a winning consumer fraud class action; Co-Chair of the Steering Committee, Microsoft Antitrust Class Action Litigation, based on Microsoft's monopolization of the personal computer operating systems and software market; Co-Lead Counsel, Lea v. Pacific Bell, a consumer fraud and unfair competition class action; Executive Committee, Old Republic Title Company Class Action Litigation, an unfair competition and consumer fraud class action; Executive Committee, Flat Glass Antitrust Litigation, Sanitary Paper Antitrust Litigation, Vitamin Cases Antitrust Litigation, and Cosmetics Antitrust Litigation, antitrust actions challenging price-fixing in the glass, sanitary paper, cosmetics and vitamin industries; Executive Committee, Providian Class Action Litigation, an unfair competition, false advertising and consumer fraud action; counsel, In re Airline Ticket Commission Antitrust Litigation, an antitrust action that challenged the airlines' reduction of travel agent commissions, resulting in an \$87 million settlement; and counsel in numerous class actions challenging price-fixing, particularly in the technology and travel industries, including In re Flash Memory Antitrust Litigation, In re TFT-LCD (Flat Panel) Antitrust Litigation, In re Cathode Ray Tube (CRT) Antitrust Litigation, In re Static Random Access Memory (SRAM) Antitrust Litigation, In re Air Cargo Shipping Services Antitrust Litigation, In re International Air Transportation Surcharge Antitrust Litigation, and In re Chocolate Confectionary Antitrust Litigation.

Mr. Gross has an impressive background in defending constitutional rights. He has represented several non-traditional religions in various types of litigation raising issues of religious freedom, due process, and improper government activity, both in affirmative lawsuits and in defending damage lawsuits by ex-members. He has also served as special counsel in criminal cases concerning constitutional issues. Mr. Gross has an active practice representing victims of clergy abuse and sexual abuse. He was a member of the Executive Committee in The Clergy Cases III, a coordinated action involving all the cases of clergy abuse against the Roman Catholic Church in Northern California, and achieved the single highest settlement on behalf of an individual in those coordinated cases.

A native New Yorker, Mr. Gross is counsel to, and formerly a partner at, Rabinowitz, Boudin, Standard, Krinsky & Lieberman, P.C., of New York, the noted constitutional and international law firm. B.S., Computer Science, Brown University; J.D., Boalt Hall School of Law at the University of California at Berkeley; Associate Editor of the California Law Review; Clerk, the Honorable Otto R. Skopil, Jr., Ninth Circuit Court of Appeals.

**ADAM C. BELSKY**

Mr. Belsky specializes in intellectual property, antitrust, general business litigation, media law, and class actions. He has extensive experience handling copyright, trademark and trade secret litigation, complex commercial litigation, defamation, invasion of privacy, employment discrimination, and other constitutional and civil rights cases. He has an active practice representing foreign countries in litigation in the United States, including on behalf of Cuba, South Africa, and Bolivia. He also has substantial appellate experience in both federal and state court.

Mr. Belsky's antitrust experience includes a number of class action cases involving technology-related industries, including cases against Microsoft, Intel, and DRAM, SRAM, LCD and CRT manufacturers. Mr. Belsky has also litigated extensively in the area of consumer fraud, including successful class actions against Pacific Bell for fraudulent advertising of voicemail and Old Republic Title Company for fraudulent escrow practices. Mr. Belsky has obtained favorable settlements in a privacy action against television stations for improperly disclosing the identities of children who had been victims of sexual abuse and on behalf of listeners of the Pacifica radio network in an action to restore local community control of the stations. Other significant engagements include representation of Quokka Sports, Inc. and the America's Cup in a successful action to regain the americascup.com domain name; Ariba in an international commercial arbitration resulting in a \$26 million award; a leading video game company in a copyright infringement suit against a competitor for copying a popular video game; a large construction company whose former employees misappropriated trade secrets in forming a competing firm; and a major computer manufacturer in a landmark international arbitration of copyright and antitrust claims.

Mr. Belsky is active in pro bono work, representing the "found-sound" artists Negativland in a contractual and intellectual property dispute with their record company, obtaining a successful settlement in which Negativland regained the rights to a number of their recordings. He has represented a class of migrant farmworkers in California who were charged excessive rents at state-run farmworker housing centers, negotiating a settlement entitling the farmworkers to a 100% refund of the overcharge plus interest. He has also represented Muslim prison inmates in a successful appeal of their civil rights action for discrimination and violation of their free exercise of religion.

Mr. Belsky received his A.B. degree from Amherst College in 1984, and his law degree from Boalt Hall at the University of California at Berkeley in 1989, where he was Note and Comment editor on the California Law Review and graduated in the top one percent of his class. Mr. Belsky served as a law clerk to the Honorable Stanley A. Weigel, U.S. District Judge in the Northern District of California. Mr. Belsky is a member of the California and various federal court bars. He is the co-author of "Implied Waiver Under the FSIA: A Proposed Exception to Immunity for Violations of Peremptory Norms of International Law," published in the California Law Review.

## **MONIQUE ALONSO**

Ms. Alonso is an experienced litigator specializing in the areas of employment, constitutional, and general commercial law and probate. In addition, she represents childhood sexual abuse survivors in civil actions against their abusers, most recently in multiple actions against church entities including the Roman Catholic Diocese of Oakland and the Roman Catholic Archdiocese of San Francisco for clergy abuse, resulting in consistent significant settlements for the victims. Ms. Alonso has an active civil rights practice focusing on police misconduct, and currently represents plaintiffs in actions against two different Northern California cities and their police departments. She has extensive experience litigating wrongful termination, employment discrimination and sexual harassment matters on behalf of both plaintiffs and defendants in state and federal courts, and also provides general employment counseling, including hiring, firing and severance issues. Her commercial litigation experience includes cases involving unfair competition, intellectual property disputes, contract disputes, misappropriation, and related business torts. She has represented both claimants and personal representatives in estate and trust contests.

Ms. Alonso's significant litigation experience includes serving as trial counsel in a \$400 million dollar will contest resulting in judgment for the client; acting as defense counsel in multiple claims hearings in a sexual discrimination class action; and serving as trial counsel in a state constitutional challenge to legislation requiring minors to obtain parental consent to abortion, and in a federal constitutional challenge to California's unitary taxation policy.

Ms. Alonso is admitted to practice in all California state courts and various federal courts, including the Ninth Circuit and the United States Supreme Court. She has received public recognition for her pro bono activities, including the State Bar's Wiley W. Manuel Award for Pro Bono Legal Services. She has been named an Outstanding Pro Bono Lawyer by the Volunteer Legal Services Program as well as receiving repeated commendations from that program.

Ms. Alonso received an A.B. degree with highest honors from the University of California at Davis in 1983, and is a member of Phi Beta Kappa. She received her J.D. from the University of California at Los Angeles in 1986. Member, National Police Accountability Project; Bar Association of San Francisco (Member: Litigation Section).

