

1 Daniel A. Small (*pro hac vice*)
COHEN MILSTEIN SELLERS & TOLL PLLC
2 1100 New York Ave. NW, Suite 500
Washington, DC 20005
3 Telephone: (202) 408-4600
Facsimile: (202) 408-4699
4 dsmall@cohenmilstein.com

5 Steve W. Berman (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO LLP
6 1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
7 Telephone: (206) 623-7292
Facsimile: (206) 623-0594
8 steve@hbsslaw.com

9 Marc M. Seltzer (54534)
SUSMAN GODFREY LLP
10 1901 Avenue of the Stars, Suite 950
Los Angeles, CA 90067-6029
11 Telephone: (310) 789-3100
Facsimile: (310) 789-3150
12 mseltzer@susmangodfrey.com

13 *Co-Lead Class Counsel*

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 IN RE ANIMATION WORKERS ANTITRUST
LITIGATION

Master Docket No. 14-CV-4062-LHK

18 DECLARATION OF DAVID
WENTWORTH IN SUPPORT OF
19 PLAINTIFFS' MOTION FOR
20 ATTORNEYS' FEES, EXPENSES, AND
SERVICE AWARDS

21 THIS DOCUMENT RELATES TO:
22 ALL ACTIONS

23
24
25
26
27
28

1 I, David Wentworth, declare as follows:

2 1. I am an individual over the age of 18 who resides in Walnut Creek, California. I have
3 personal knowledge of the matters stated herein and, if called upon, I could and would competently
4 testify thereto.

5 2. I am a named plaintiff and class representative in *In re Animation Workers Antitrust*
6 *Litigation*, No. 14-CV-4062-LHK, filed on September 8, 2014, in the United States District Court for
7 the Northern District of California. I submit this affidavit, on behalf of myself and the settlement
8 class, in support of Plaintiffs' Motion for Attorneys' Fees, Expenses, and Service Awards.

9 3. As a class representative, I understand that it is my responsibility to be apprised of the
10 work done by my attorneys on the case and make my own judgment about the fairness of any
11 settlement proposed by the lawyers. In evaluating the fairness of the settlement, I am required to
12 consider the interests of all members of the Class. I am free to disagree with my attorneys about the
13 merits of a settlement and make my views known to the Court.

14 4. I have reviewed the terms of the settlements with Defendants The Walt Disney
15 Company, Pixar, Lucasfilm Ltd., LLC, and Two Pic MC LLC (collectively, the "Disney
16 Defendants"), and with Defendant DreamWorks Animation SKG, Inc. ("DreamWorks"), discussed
17 those terms with my attorneys, and I am aware of and approve all terms of the proposed settlement,
18 as it affects me and the members of the Class. Based upon this reading and my discussions with
19 counsel, I understand that the Disney Defendants have agreed to pay \$100,000,000 into a Settlement
20 Fund, and DreamWorks agreed to pay \$50,000,000 into a Settlement Fund, and further understand
21 that if the settlement is approved, class members nationwide will receive payments from this
22 Settlement Fund. I understand that the costs of notice and settlement administration, attorneys' fees,
23 litigation expenses, and participation awards will be deducted from the Settlement Fund, and that
24 class members who do not opt out will release the Disney Defendants, DreamWorks, and related
25 entities from claims related to this lawsuit.

26 5. I believe that the proposed settlements achieve significant relief for the Class and are
27 a good result compared to the risks and delay associated with a complex and costly trial. In addition,
28

1 I recognize that if a trial were held, there is no guarantee that the Class would succeed on the claim
2 presented in this litigation. Thus, the proposed settlements permit an immediate recovery to class
3 members without the risk, delay, and expense of trial. Based upon my understanding of the class
4 claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I
5 believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class
6 members, and should therefore be granted final approval.

7 6. Over the past two and a half years, I have diligently performed my duty to assist Class
8 Counsel in prosecuting this case, investing a significant effort to complete specific tasks to benefit
9 the lawsuit and fulfill my role as a class representative.

10 7. I responded to Defendants' discovery requests by searching my digital and paper files
11 for responsive documents. This included searching my personal computer and email accounts. I then
12 worked with my attorneys to harvest those documents and have them produced to Defendants. In
13 addition, I assisted in preparing and verifying my responses to interrogatories for at least 61 hours
14 and updated those responses when needed. I also spent time consulting with Class Counsel on
15 multiple occasions to assist them in understanding my responsive documents. I estimate that I have
16 spent at least 26 hours communicating with counsel by phone, email and in person about the
17 document requests, and spent at least 34 hours collecting documents, including searching for
18 information and documents for the litigation, and discussing and reviewing settlements and litigation
19 updates.

20 8. I spent time preparing for my deposition by reviewing documents and meeting with
21 my attorneys for eight hours. On February 12, 2016, I spent about eight hours at my deposition being
22 questioned by Defendants. To ensure the accuracy of my deposition transcript, I spent about six
23 hours reviewing it for errors.

24 9. I have been responsive to Class Counsel's requests for information throughout the
25 case and remained in regular contact by phone and email to discuss various aspects of the litigation,
26 including updates on progression of the litigation and material events in the case. I have reviewed
27 and commented on documents, read case updates, asked questions, and provided information,
28 assistance and documentation as needed.

1 litigation, including updates on progression of the litigation and material events in the case. I have
2 reviewed and commented on documents, read case updates, asked questions, and provided
3 information, assistance and documentation as needed.

4 10. The burden from this case has not been limited to the time spent on discovery and
5 reviewing settlements. Animation and visual effects is a small industry, both with few employers
6 and few employees. The Defendants are major employers in this industry, either as a direct
7 employer or as the studio from whom an employer subcontracts. Reputation is a large factor in
8 seeking employment in this industry, especially for more senior and specialized employees such as
9 myself. Jobs in this industry typically are short-term (tied to the length of a film production), which
10 results in having to find work frequently across multiple employers. Given those factors and how
11 closely my name has been associated with this high-profile case, my reputation is quite important
12 to my job prospects, and I put my reputation at risk through my involvement in this lawsuit.

13
14 I declare under penalty of perjury under the laws of the United States of America that the
15 foregoing is true and correct. Executed this 6th day of April, 2017, in San Francisco, California.

16
17 
18 DAVID WENTWORTH