

**CIRCUIT COURT FOR THE 20TH JUDICIAL CIRCUIT  
COUNTY OF ST. CLAIR, STATE OF ILLINOIS**

LISA MOORE, individually and on behalf of )  
all others similarly situated, )  
 )  
Plaintiff, )  
v. ) No. 19-L-0846  
 )  
KIMBERLY-CLARK WORLDWIDE, INC., )  
 )  
Defendant. )

**DECLARATION OF DAVID C. NELSON**

I, David C. Nelson, as an officer of the Court, declare as follows:

1. I graduated from Duke University School of Law in 1994 and have been licensed to practice law in Illinois since 1994. I have been licensed to practice law in Missouri since 1995. Throughout my career, my professional focus has been plaintiff's civil litigation. In my work as a practicing attorney, I have twice been elected by my peers to the Illinois State Bar Association's Board of Governors and I have received the Illinois Board of Governor's Award for my legal work before the Illinois Supreme Court and the United States Court of Appeals for the Seventh Circuit in support of personal injury victims' rights.

2. In the class action field, I have been appointed class counsel or co-class counsel in multiple state and federal class action cases in multiple jurisdictions, including the following:

- a. *Przybysz, et al. v. Kraft Heinz Foods Company*, St. Clair County, IL Case No. 17-L-0402;
- b. *Fikara v. Niemann Foods Inc.*, CDIL Case No. 3:16-cv-03285-TSH;
- c. *Angela Barnes, et al. v. River North Foods, Inc.*, St. Clair County, IL Case No. 16-L-459;

- d. *Schaefer, et al. v. Healthport Technologies*, SDIL Case No. 3:15-cv-00069-DRH-DGW;
- e. *Gherson Tovar, et al. v. Drew's LLC*, St. Clair County, IL Case No. 16-L-313;
- f. *April Dugan, et al. v. Topco Associates, LLC*, St. Clair County, IL Case No. 16- L-446;
- g. *Joshua Kaehler, et al. v. Midway Building Service, LTD.*, Lake County, IL Case No. 18-CH-752;
- h. *George, et al. v. Keurig Dr. Pepper, Inc. et al.*, Circuit Court of the City of St. Louis No. 1822-CC11811; and
- i. *Hansen-Mitchell, et al. v. Welspun USA, Inc., et al.*, St. Clair County, IL Case No. 19-L-0391.

3. For this case, my staff and I have recorded detailed time entries for the work performed. I have personally reviewed those time entries, and confirm that duplicative or unnecessary time has been excluded from the entries. Therefore, only time reasonably devoted to the instant litigation has been included. The time entries, including the descriptions, have been regularly and contemporaneously recorded by me and others pursuant to our firm policies. The time entries have been maintained in computerized form and stored electronically consistent with our firm's policies, all in the regular course of our business. True and correct copies of those time entries are attached hereto as **Exhibit 1**.

4. Based on my knowledge and experience, the hourly rates charged by my firm are within or below the range of market rates charged by attorneys of equivalent experience, skill, and expertise.

5. Through my practice, I have become familiar with the non-contingent market rates charged by attorneys, paralegals, litigation support specialists, secretaries and legal clerks in Illinois, Missouri, New York, California, Texas, and Florida. My familiarity arises from my

experience: (1) litigating attorneys' fee applications; (2) discussing fees with other attorneys licensed to practice in the jurisdictions above and in other jurisdictions; (3) by obtaining and reviewing declarations of the prevailing market rates filed by other attorneys seeking fees; and (4) by reviewing attorneys' fee applications and court-awarded fees in other cases; and (5) reading and reviewing surveys and articles on attorney's fees in legal publications. The information I have gathered shows that my firm's rates are in line with, or else beneath, the non-contingent market rates charged by attorneys of reasonably comparable experience, skill, and reputation for comparable class action work.

6. Through June 22, 2020, my staff and I have worked a total of 59.9 hours on this case, resulting in a lodestar fee of \$31,545.00 based on current billing rates as set forth in the table below:

<b>Moore v. Kimberly Clark November 27, 2019 through June 22, 2020</b>				
<b>NAME</b>	<b>TITLE (year admitted to bar)</b>	<b>HOURS</b>	<b>RATE</b>	<b>TOTAL</b>
David C. Nelson	Partner	33.7	\$800.00	\$29,960.00
Renee C. Theis	Senior Litigation Support Specialist	23.3	\$175.00	\$4,217.50
Amy C. Lynch	Senior Litigation Support Specialist	2.1	\$175.00	\$367.50

7. Through June 22, 2020, my firm's expenses in this case total \$607.56 and are itemized as follows:

<b>Moore v. Kimberly Clark Litigation Costs Advanced</b>			
<b>DATE</b>	<b>PAYEE</b>	<b>DESCRIPTION</b>	<b>CHARGE</b>
12/04/19	St. Clair County Clerk	Filing Fee	\$323.07
02/12/20	St. Clair County Clerk	Alias Summons	\$5.14

02/20/20	NCC Sheriff	Service Fee	\$75.00
04/20/20	Nelson & Nelson	Paper photocopies	\$196.75
04/20/20	Nelson & Nelson	Litigation support materials including, e.g., binders, tabs, etc.	\$7.60
		<b>TOTAL:</b>	<b>\$607.56</b>

I declare under penalty of perjury, pursuant to the laws of the State of Illinois, that the above is true and correct to the best of my knowledge and that this Declaration was executed on June 22, 2020, in Belleville, Illinois.

*/s/ David C. Nelson*

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David C. Nelson (ARDC 6225722)  
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**INVOICE****Bill To:**

Moore v. Kimberly-Clark Worldwide, Inc. 19-L-0846

11/17/19 - 06/22/20

Attorney Rate \$ 800.00  
Paralegal Rate \$ 175.00

Date	Tasks	Performer	Hours	Rate	Amount
11/26/19	Review documents of multiple documents in case to learn issues involved. Research product design and alleged failure. Research product's claimed effects on consumers. Review related Illinois caselaw involving products liability class action cases alleging defective design/manufacture. Review law applicable to certification, especially commonality in Illinois. Review media exposure. Research opposing counsel...DCN/rct	DCN	12.2	\$ 800.00	\$ 9,760.00
11/27/19	Review and edit complaint; prepare EOA, Affidavit of Damages, Summons, letter to co-counsel, obtain registered agent; prepare dropbox, save correspondence to file; review email from Bursor re same....rct	RCT	3.7	\$ 175.00	\$ 647.50
11/27/19	Review for edits - complaint; EOA, Affidavit of Damages, Summons, letter to co-counsel....DCN/rct	DCN	0.6	\$ 800.00	\$ 480.00
12/02/19	Email to co-c requesting bar numbers to add to pleadings...DCN/acl	ACL	0.1	\$ 175.00	\$ 17.50
12/04/19	Retrieve file-stamped pleadings from court; prepare waiver of service; email co-c re same...rct	RCT	0.5	\$ 175.00	\$ 87.50
12/10/19	Receive email from co-c; research rules re service, respond re same...rct	RCT	0.5	\$ 175.00	\$ 87.50
01/03/20	Email from co-c re SA...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
01/07/20	Email from co-c re SA; response to email re same...DCN/rct	DCN	1.5	\$ 800.00	\$ 1,200.00
01/08/20	Calendar, scan & email to co-c Initial Mandatory Status Conference Setting Assignment...acl	ACL	0.2	\$ 175.00	\$ 35.00
01/08/20	Receive and review Initial Mandatory Status Conference Setting Assignment...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
01/20/20	Review & save email from co-c re: next steps...acl	ACL	0.1	\$ 175.00	\$ 17.50
01/20/20	Review email from co-c to oc re: settlement agreement...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
01/22/20	Email to co-c re: next steps & taking a change of judge...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
01/23/20	Emails from co-c & oc re status of SA...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
01/27/20	Email from co-c re pc...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
01/28/20	Emails with co-c re: PC, ok to file judge change motion...DCN/acl	DCN	0.2	\$ 800.00	\$ 160.00
01/28/20	Emails with co-c & oc re PC...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
01/28/20	PC with co-c Jeremy re: change of judge & Df local counsel...DCN/acl	DCN	0.2	\$ 800.00	\$ 160.00

01/31/20	Prepare Motion for Substitution of Judge w/o Cause and proposed order, file w/court, email to co-c re same...rct	RCT	0.5	\$ 175.00	\$ 87.50
01/31/20	Review Motion for Substitution of Judge w/o Cause and proposed order...DCN/rct	DCN	0.3	\$ 800.00	\$ 240.00
02/04/20	Email from oc re edits to SA...DCN/rct	DCN	0.5	\$ 800.00	\$ 400.00
02/05/20	Emails with co-c re: substituting judge, judges out this week ...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
02/06/20	Email with co-c re: setting pc w/DCN...rct	RCT	0.1	\$ 175.00	\$ 17.50
02/07/20	PC with co-c Jeremy re: status hearing Monday 2/10/20...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
02/07/20	PC with co-c Jeremy re: status hearing Monday 2/10/20...rct	RCT	0.1	\$ 175.00	\$ 17.50
02/07/20	Review email & attachments from co-c re final version of SA & exhibits...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
02/10/20	Commute to and from status hearing, attend hearing; emails w/co-c re what was learned at hearing...DCN/rct	DCN	0.8	\$ 800.00	\$ 640.00
02/10/20	Email to co-c cc'ing judge change order...rct	RCT	0.1	\$ 175.00	\$ 17.50
02/11/20	Emails with co-c re judge change; email from judge...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
02/11/20	Email from judge re: service & oc ...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
02/12/20	Emails to judge re status and & co-c re local oc; Receive and review Initial Mandatory Status Conference Setting Assignment...DCN/rct	DCN	0.2	\$ 800.00	\$ 160.00
02/12/20	Emails to co-c re service plan & court orders...rct	RCT	0.2	\$ 175.00	\$ 35.00
02/13/20	Email from judge requesting an agreed date to enter CMO once service is worked out...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
02/13/20	Email from co-c to oc re: SA...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
02/14/20	Emails re final SA; review final SA...DCN/rct	DCN	0.3	\$ 800.00	\$ 240.00
02/20/20	Email to co-c re alias summons...rct	RCT	0.1	\$ 175.00	\$ 17.50
02/24/20	Email re SA signatures...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
02/25/20	Email from co-c to oc re: preparing dismissal for the C.D. Cal. case...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
02/26/20	Emails re SA signatures & Cali DM...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
02/28/20	Email re SA signature & Cali DM...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
02/29/20	Email from oc re: draft stip of dismissal...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
03/04/20	Email from co-c req for status on service of alias summons...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
03/13/20	Email from new defense counsel; save pleadings to file & update data; email to all counsel re court closure...rct	RCT	0.2	\$ 175.00	\$ 35.00
03/13/20	Receive & review email from new defense counsel w/pleadings EOA, JD & proposed order...DCN/rct	DCN	0.2	\$ 800.00	\$ 160.00
03/16/20	Receive & review Affidavit of Service; instruct staff to file w/court & circulate...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
03/19/20	Review preliminary approval docs; emails with co-c re same...DCN/rct	DCN	0.8	\$ 800.00	\$ 640.00
03/20/20	Review all documents for preliminary approval and proposed edits; pull cases and check citations; multiple pcs and emails with co-c and/or oc re same; file docs w/court...rct	RCT	7.5	\$ 175.00	\$ 1,312.50
03/20/20	Review all edits to preliminary approval docs; multiple pcs and emails with staff & co-c re	DCN	3.5	\$ 800.00	\$ 2,800.00
03/23/20	Save order to file; email all counsel re same...rct	RCT	0.1	\$ 175.00	\$ 17.50
03/24/20	Email with co-c re: reached out to local counsel...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00

03/24/20	Email to oc re: contacting judge to sign proposed order or have a PC...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
03/24/20	Multiple emails w/oc re files cannot be opened...rct	RCT	0.3	\$ 175.00	\$ 52.50
03/25/20	Save, file with the court & circulate to counsel Affidavit of Service...acl	ACL	0.2	\$ 175.00	\$ 35.00
03/25/20	Email from oc re: can't open PDFs...acl	ACL	0.1	\$ 175.00	\$ 17.50
03/25/20	Email to co-c sample Rule 707 statement...acl	ACL	0.1	\$ 175.00	\$ 17.50
03/25/20	Emails w/oc re document access issues...rct	RCT	0.2	\$ 175.00	\$ 35.00
04/02/20	Emails to oc & co-c re prelim approval...DCN/rct	DCN	0.2	\$ 800.00	\$ 160.00
04/02/20	Emails and calls w/clerk re document access issues; download file-stamped docs and circulate to all counsel...rct	RCT	0.5	\$ 175.00	\$ 87.50
04/06/20	Email from oc re PC w/judge; emails w/Bursor re same; emails w/judge re same; texts with oc & judge re same...DCN/rct	DCN	0.4	\$ 800.00	\$ 320.00
04/07/20	PC w/DCN, oc & judge re PA hearing...rct	RCT	0.3	\$ 175.00	\$ 52.50
04/07/20	Email to co-c re PC with judge to discuss hearing on mtn for preliminary approval; texts with oc & judge re same...DCN/acl	DCN	0.2	\$ 800.00	\$ 160.00
04/07/20	Emails with co-c re PC with judge & pro hac; PC with judge & counsel...DCN/acl	DCN	0.5	\$ 800.00	\$ 400.00
04/08/20	Email from oc & text w/staff re PA hearing 4/20; texts with oc & judge re same.....DCN/rct	DCN	0.2	\$ 800.00	\$ 160.00
04/09/20	Prepare binder cover page and TOC for Judge...rct	RCT	0.4	\$ 175.00	\$ 70.00
04/09/20	Prepare, email & file 707 Statements & EOA for Bursor...acl	ACL	1.0	\$ 175.00	\$ 175.00
04/10/20	Email from co-c re 707 Statement for Mark Reich...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
04/13/20	Email to co-c re 707 Statement for Mark Reich; review letter to judge, NOH, binder contents...DCN/acl/rct	DCN	0.4	\$ 800.00	\$ 320.00
04/13/20	Prepare letter to judge; prepare NOH & file w/court; prepare all other binder docs for Cassie to print in office; select binder cases; drive to office and construct binder; drive to courthouse to deliver binder; return home and email all counsel re	RCT	2.5	\$ 175.00	\$ 437.50
04/15/20	Save & email to all counsel file-stamped 707 Statements & EOA for Bursor...acl	ACL	0.1	\$ 175.00	\$ 17.50
04/16/20	Prepare, file & email to counsel - EOA for Krivoshey...acl	ACL	0.2	\$ 175.00	\$ 35.00
04/16/20	Drive to office & prepare DCN binder...rct	RCT	0.9	\$ 175.00	\$ 157.50
04/17/20	Emails with oc re hearing & conf call...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
04/17/20	Multiple emails w/oc re files cannot be opened; emails w/other oc cc'ing binder contents...rct	RCT	0.5	\$ 175.00	\$ 87.50
04/20/20	Hearing preparation; travel to and attend court hearing; travel to office and modify PA order, email to oc re same; emails with oc and judge re modified PA Order...rct	RCT	3.6	\$ 175.00	\$ 630.00
04/20/20	Hearing preparation; travel to and attend court hearing; travel to office and modify PA order, emails with co-c re same...DCN/rct	DCN	3.9	\$ 800.00	\$ 3,120.00
04/21/20	Emails w/co-c re potential notice plan changes; email from Judge re PA Order...DCN/rct	DCN	0.2	\$ 800.00	\$ 160.00
04/23/20	Emails w/co-c re potential notice plan changes; email from Judge re PA Order...DCN/rct	DCN	0.2	\$ 800.00	\$ 160.00
04/24/20	Emails w/co-c re potential notice plan changes; email from Judge re PA Order...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
04/26/20	Emails w/co-c re notice plan changes...DCN/rct	DCN	0.2	\$ 800.00	\$ 160.00

04/27/20	Emails w/oc re notice plan changes; texts w/oc re same...DCN/rct	DCN	0.3	\$ 800.00	\$ 240.00
04/28/20	Emails to oc & clerk re order...rct	RCT	0.2	\$ 175.00	\$ 35.00
05/15/20	Emails with co-c re order & notice...DCN/acl	DCN	0.2	\$ 800.00	\$ 160.00
05/29/20	Emails with co-c re status hearing...DCN/acl	DCN	0.1	\$ 800.00	\$ 80.00
05/30/20	Texts with co-c re status hearing...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
05/31/20	Texts with co-c re status hearing...DCN/rct	DCN	0.1	\$ 800.00	\$ 80.00
06/15/20	PC w/Y; review sample pleadings provided by Y for fee declaration...DCN/rct	DCN	0.6	\$ 800.00	\$ 480.00
06/18/20	Prepare skeleton first draft of Declaration of DCN...rct	RCT	0.9	\$ 175.00	\$ 157.50
06/22/20	Review and edit Declaration; emails w/co-c re motion....DCN/rct	DCN	2.0	\$ 800.00	\$ 1,600.00
06/22/20	Implement edits to Declaration...rct	RCT	0.2	\$ 175.00	\$ 35.00
				<b>Total</b>	<b>\$31,545.00</b>