

EXHIBIT 2

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

**DAVID KARDONICK, JOHN DAVID,
and MICHAEL CLEMINS, individually
and on behalf of all others similarly
situated,**

Plaintiffs,

v.

**JPMORGAN CHASE & CO. and
CHASE BANK USA, N.A.**

Defendants.

C. A. No. 1-10-cv-23235-WMH

**DECLARATION OF RICHARD GOLOMB IN SUPPORT OF JOINT APPLICATION
FOR ATTORNEYS' FEES AND REIMBURSEMENT OF EXPESNES FILED ON
BEHALF OF GOLOMB & HONIK, P.C.**

I, Richard Golomb, declare as follows:

1. I am a partner with the law firm of Golomb & Honik, P.C. I submit this declaration in support of my firm's application for an award of attorneys' fees and in connection with services rendered in this case, as well as the reimbursement of expenses incurred by my firm in connection with this litigation.

2. My firm performed the following tasks, among others, during the litigation: client intake communication, investigated the facts underlying the litigation, researched applicable Florida law, drafted pleadings, reviewed and revised pleadings, attended hearings, and participated in various conferences with co-counsel regarding all aspects of the case.

3. The schedule attached hereto as Exhibit A is a detailed summary indicating the amount of time spent by each attorney and paralegal of my firm who was involved in this

litigation, and the lodestar calculation based on my firm's current billing rates. For attorneys and paralegals who are no longer employed by my firm, the lodestar calculation is based upon the billing rates for such attorneys and paralegals in his or her final year of employment by my firm. The schedule was prepared from contemporaneous time records regularly prepared and maintained by my firm, which are available at the request of the Court. Time expended in preparing this application for fees and reimbursement of expenses has not been included in this request.

4. The hourly rates for the attorneys and paralegals in my firm included in Exhibit A are the same as the regular current rates charged for non-contingent matters and/or which have been accepted in other litigation.

5. The total number of hours expended on this litigation by my firm is 1436.80 hours. The total lodestar for my firm is \$826,577.50. *See* Exhibit A.

6. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expense items. Expense items are billed separately and such charges are not duplicated in my firms' billing rates.

7. As detailed in Exhibit B, my firm has incurred a total of \$18,357.12 in unreimbursed expenses in connection with the prosecution of this litigation.

8. The expenses incurred in this action are reflected in the books and records of my firm. These books and records are prepared from expense vouchers, check records and other source materials and are an accurate record of the expenses incurred.

9. With respect to the standing of my firm, attached hereto as Exhibit C is a brief biography of my firm and attorneys in my firm who were principally involved in this litigation.

Date: 7/22/11

Richard Golomb
Richard Golomb, Esquire

EXHIBIT A
Lodestar Summary

GOLOMB & HONIK, P.C.

Timekeeper	Hours	Rate	Lodestar
(P) Richard Golomb	493.30	\$700	\$345,310.00
(P) Ruben Honik	436.40	\$700	\$305,480.00
(A) Stephan Matanovic	12.80	\$400	\$5,120.00
(A) Kenneth Grunfeld	390.70	400.00	\$156,280.00
(A) Brent Wiend	11.50	250.00	\$2,875.00
(PL) Shawnee Carchidi	68.50	125.00	\$8,562.50
(PL) Lois Pena	16.10	125.00	\$2,012.50
(PL) Elizabeth Malloy	7.50	125.00	\$937.50
TOTAL	1436.80		\$826,577.50

Timekeeper Status

- (P) = Partner
- (A) = Attorney
- (LC) = Law Clerk
- (PL) = Paralegal

EXHIBIT B

GOLOMB & HONIK, P.C.

EXPENSE SUMMARY

Expense	Total
Class Notice/Press Release	\$2,010.55
Mediation	\$0.00
Deposition/Transcripts	\$0.00
Filing Fee/court Fees	\$50.00
Expert/Consult/Investigation	\$0.00
Process Server	\$0.00
Travel/Food/Misc.	\$14,449.47
Telephone/Facsimile	\$0.00
In-house photocopying/printing	\$900.75
Postage/Overnight/Courier	\$749.44
Legal Research	\$196.91
TOTAL	\$18,357.12

Golomb & Honik, P.C. is a boutique Philadelphia law firm that is nationally recognized as having the intellect, persistence, experience, and resources to succeed in the most challenging cases. We serve clients nationwide in the following practice areas:

- Class Action Litigation
- Commercial/Consumer Litigation
- Toxic, Environmental, and Pharmaceutical Litigation
- Mass Torts
- Personal Injury

Success In The Most Difficult Cases

Over the last 25 years, Golomb & Honik has established an unmatched reputation for successfully representing those victimized by medical or other professional negligence, insurance or corporate wrongdoing, complex consumer and commercial transactions, and significant highway and construction accidents. Many of our greatest successes have come from cases that other firms declined to handle because of the complexity or expense. With experience ranging from challenging environmental cases involving chemicals and other toxins, to the most difficult class action and medical cases, our team has the intellect, persistence, experience, and resources to produce unmatched results.

Other lawyers turn to Golomb & Honik with their most important cases. Referrals are a pillar of our practice. Leading attorneys across the nation refer their complex personal injury, commercial, and toxic exposure cases to us—particularly those with a class action or multi-plaintiff component.

A Focused Team

At Golomb & Honik we take an entrepreneurial approach. Every representation undertaken by the firm receives the highest degree of attention, resources, and skill. Our boutique size means that we are selective in what we accept and that every client receives the hands-on attention of a senior partner.

The lawyers at Golomb & Honik are very active in professional and charitable organizations; our partners have earned leadership positions in regional and national trial bars and professional associations. We regularly instruct other professionals through continuing legal education, and undertake pro bono work ranging from the representation of 9/11 victims to assisting local underprivileged clients through Volunteers for the Indigent Program.

Principal Profiles

Richard M. Golomb

Mr. Golomb is managing shareholder and a founding partner of Golomb & Honik, P.C. He has more than twenty-five years experience representing the catastrophically injured as a result of medical negligence, defective products and pharmaceuticals, construction accidents and other personal injury claims. For the past fifteen years he has represented victims of environmental exposures and wronged consumers in class action litigation.

Early in his career, Mr. Golomb was an associate, and then shareholder, with a Philadelphia personal injury firm for eleven years before striking out on his own in 1996. Since 1998, Mr. Golomb has been a shareholder in Golomb & Honik, P.C. where he has served as lead or co-counsel in many cases which resulted in million and multi-million dollar verdicts and settlements for clients in individual and class action claims.

An active member of the bar, Mr. Golomb has served as President of the Philadelphia Trial Lawyers Association; currently sits on the Board of Governors of the Pennsylvania Trial Lawyers Association; and served as an officer of the American Association for Justice (formerly ATLA) for three years. As a governor for the American Association for Justice, Mr. Golomb has twice been recognized with the "Distinguished Service Award", and was awarded with the "Citation of Excellence" by the American Association for Justice for his pro bono service representing families victimized by the events of September 11, 2001. Mr. Golomb also serves as a trustee of the Civil Justice Foundation, fellow of the Roscoe Pound Institute, and serves as the American Association for Justice Delegate to the Civil Justice Round Table. Additionally, he served as an elected member of the Board of Governors of the Philadelphia Bar Association; as Chair of that body's State Civil Committee; has served two terms as a hearing officer for the Pennsylvania Supreme Court Disciplinary Board; and sat for four years on the Judicial Selection and Retention Committee.

Mr. Golomb is a frequent lecturer and author who addresses trial advocacy subjects for the plaintiffs' and defense bar in areas such as expert witness preparation, evidence, cross-examination and ethics.

Ruben Honik

Ruben Honik has nearly a quarter century of experience as a civil trial lawyer representing plaintiffs across a broad range of tort cases. A founding partner of Greitzer & Honik, Mr. Honik merged his practice with that of Richard Golomb (declared among the Top 10 lateral moves for the year by the Legal Intelligencer) in 1998 to form Golomb & Honik. While at the firm, and for many years before that, Mr. Honik has litigated cases involving defective products, medical and other professional negligence, civil rights violations, and vehicle and highway design defects. In the more recent past, Mr. Honik has developed a national practice representing victims of environmental harm, particularly those exposed to the toxin beryllium in residential and workplace settings.

In 2001, Mr. Honik was co-lead counsel in *Cullen v. Whitman Education Group*, a federal RICO class action certified in the Eastern District of Pennsylvania; it resulted in the largest settlement of its kind against a publicly traded national chain of trade schools. More recently, in *Whisnant, et al. v. General Chemical Corp.*, Mr. Honik represented thousands of chemically exposed oil refinery workers in connection with individual and class claims certified for settlement in Delaware County, Pennsylvania.

A past president of both the Philadelphia Trial Lawyers' Association and the Pennsylvania Trial Lawyers' Association, Mr. Honik is a frequent lecturer. In addition, he was the long-time editor of *The Verdict*, the monthly newsletter of the Philadelphia Trial Lawyers' Association.

Senior Attorney Profiles

Kenneth J. Grunfeld

Ken joined Golomb & Honik in January, 2010 after many years defending pharmaceutical manufacturers, national railroads, asbestos companies and corporate clients in consumer protection, products liability, insurance coverage and other complex commercial disputes while working at one of Philadelphia's largest and most prestigious defense firms. He brings with him a unique perspective and a wealth of trial and appellate work experience in both state and federal courts in cases brought by injured people, shareholders, State Attorneys General and the U.S. Attorney General's Office. In one important personal injury case defending a major pharmaceutical company's blockbuster medication, he successfully argued a summary judgment motion before the esteemed Hon. Jack B. Weinstein in the U.S. District Court for the Eastern District of New York, securing an early victory for his client and eliminating the need for a trial.

Today his practice focuses on representing consumers and payors in class actions against pharmaceutical manufacturers, financial institutions like banks, credits card companies and insurers, consumer electronics companies and other national corporate defendants.

Ken received his undergraduate degree in 1996 from the University of Michigan and his J.D. in 1999 from the Villanova University School of Law. He was a member of the Villanova Law Review and graduated *Order of the Coif*.

Attorney Profiles

Damien Zillas

Damien Zillas graduated Magna Cum Laude from the University at Albany. After graduation, he worked as a business systems analyst for the New York State Department of Health, where he gained insight into how large entities manage, store and report large volumes of data. He then attended and earned a Juris Doctor degree Temple University's Beasley School of Law. Damien began his legal practice at a large

defense firm, where his focus was on products liability cases, but also included work on premises liability and automobile cases as well. He then took a job with a plaintiffs' firm that represented clients in medical negligence, catastrophic injury, toxic torts and class action suits. In this role, he represented a class of healthy individuals who lived in the same area in a medical monitoring class action. At Golomb and Honik, Damien represents victims in medical monitoring and consumer class action cases as well as a range of injured clients.

Brent Wieand

Brent Wieand obtained a Bachelor of Science in Management from Penn State University and his J.D. from Emory Law School. While in law school, he worked as a legal intern for the Pennsylvania Attorney General's Office and the Internal Revenue Service, and served as a law clerk for a plaintiff's civil litigation firm in Atlanta, Georgia while attending law school. At Golomb & Honik, Mr. Wieand's practice areas include class actions, mass tort and individual product liability cases, toxic torts, professional negligence and personal injury. He is an active member of the Philadelphia Bar Association, The American Association for Justice, Pennsylvania Association for Justice, and the Philadelphia Trial Lawyers Association.

Kevin Fay

Kevin graduated Summa Cum Laude from the New England School of Law in Boston in 2007. After graduation, he worked as an attorney at one of Boston's largest and most prestigious corporate law firms, where he represented public and private issuers, underwriters and individual investors in a wide range of transactional work. Kevin joined Golomb & Honik in 2011. He now represents clients in medical monitoring, toxic tort and consumer class action cases. Kevin is admitted to practice in Pennsylvania, New Jersey and Massachusetts.

Staff

We have a dedicated and experienced support staff here at Golomb & Honik. While our clients always get hands-on attention from attorneys, we understand that it takes a motivated and cohesive team to manage complex cases. A number of our clerks, paralegals and administrative assistants have over 20 years of legal experience, specializing in the areas of class action, mass tort, and personal injury litigation.

Representative Cases, Settlements, And Reported Decisions

In Re: Checking Account Overdraft Litigation, MDL No. 2036

Golomb & Honik has brought a number of class action complaints filed in federal court against national banks that have wrongfully employed unfair and illegal business practices in charging overdraft fees to dramatically increase the likelihood customers using debit, ATM, or check cards will overdraw their accounts and be assessed fees. We are also proud to serve as one of only a handful of firms to serve on the Plaintiffs' Executive Committee in a coordinated, nationwide effort to bring to these banks to justice on behalf of millions of Americans that have paid billions of dollars in overdraft fees to banks. In the first overdraft case litigated, a judge ordered Wells Fargo to pay over \$200 million to a class of injured California bank customers. Recently, Bank of America has agreed to settle with a nationwide class of plaintiffs for \$410 Million.

Federal Express Class Action

Golomb & Honik sued Federal Express in the United States District Court for the Middle District of Florida on behalf of over 200 truckers over wrongfully-terminated hauling contracts. Despite an express clause in the contracts, Federal Express failed to provide the truckers with proper notice of termination.

In Re: Budeprion XL Marketing & Sales Litigation, MDL No. 2107

Golomb & Honik has brought a number of class action complaints filed in federal courts against the manufacturer and distributor of a generic version of a popular anti-depressant medication under the Consumer Protection Laws of California and other states. We also serve as liaison counsel in an MDL proceeding in the United States District Court for the Eastern District of Pennsylvania. United States District Judge Berle Schiller has denied defendants' Motion to Dismiss based on the preemption defense and plaintiffs now seek certification of the proposed class.

Credit Card Payment Protection

Golomb & Honik leads a collaboration of firms bringing dozens of class action complaints filed in federal courts across the country against over ten credit card companies regarding "Payment Protection plans", an add-on product of virtually no value wrongfully marketed and sold to unsuspecting credit card holders. Nationwide settlements have been reached in actions against at least four credit card companies resulting in over \$100 million in settlements for class members.

Ford Windstar Class Action

Golomb and Honik represent a national consumer class of owners of approximately one million Ford Windstars. Ford designed, developed and installed defective rear axles for these vehicles, using an inexpensive, stamped metal product. Consumers purchased a

vehicle that would literally fall apart before its normal useful lifetime. Indeed, there exists a real possibility that these axles could break while these vehicles, marketed specifically to families, are operated at highway speed, causing serious injury or fatalities. After Golomb and Honik filed this lawsuit, Ford instigated a recall of these vehicles to fix or replace the defective rear axles.

Mattel Lead Paint Class Action

Golomb & Honik successfully represented plaintiffs in nationwide class action litigation against a toy manufacturer distributing dangerous products to consumers. We served on the Plaintiffs' Executive Committee and helped to negotiate a favorable settlement in plaintiffs' actions seeking medical monitoring.

Suzuki GSX-R1000 Motorcycle Class Action Settlement

Golomb & Honik negotiated a confidential settlement on behalf of a class of more than 26,000 members for damages allegedly caused from a design defect in the 2005 and 2006 models of the "sport bike" motorcycles. After this lawsuit was brought, Suzuki initiated a voluntary safety recall to enhance the frame strength and safety. The United States District Court for the Southern District of Florida -- Miami Division approved the settlement.

In Re Sterling Financial Corporation Securities Class Action

Golomb & Honik facilitated settlement of a multimillion dollar matter on behalf of thousands of investors who were injured as a result of alleged violations of federal law. In the summer of 2009, the United States District Court for the Eastern District of Pennsylvania created a \$10.25 million settlement fund for the benefit of those investors who acquired stock from 2004 through 2007 at allegedly inflated prices. It was estimated that \$13.5 million shares were damaged as a result of fraud.

Cullen, et al. v. Whitman Medical Corporation d/b/a Whitman Education Group, Inc., et al., 197 F.R.D. 136 (E.D. Pa. 2000)

Golomb & Honik represented current and former students who sued a national vocational school, alleging that they had been fraudulently misled as to the education they would receive. Golomb & Honik served as co-lead counsel in this groundbreaking consumer class action in which plaintiffs and absent national class members sought education from a publicly traded corporation in the field of diagnostic medical sonography. Golomb & Honik succeeded in demonstrating the chain of schools fraudulently misrepresented the nature of the ultrasound program and otherwise failed to provide the education represented. Students received federally guaranteed student loans but were largely unable to obtain promised jobs in their area of study. The school had no meaningful admissions criteria and often hired unqualified administrative and educational personnel. Field placements did not materialize, and students were unprepared to take qualifying exams. Students were stuck with loan repayments for

which they received little or nothing in return. In approving certification of the class, and later the class settlement, the United States District Court said of counsel representing plaintiffs that “[t]he skill of each of these attorneys is reflected both in settlement and in the aggressive manner in which they pursued this litigation from start to finish.” *Cullen*, 197 F.R.D. at 149. The Court noted in conclusion, “the highly skilled class counsel provided excellent representation both for named plaintiffs and absent class members.” *Id.* The class settlement of \$7.3 million was the largest common fund of its kind.

Whisnant, et al. v. General Chemical Corp., et al., No. 99-12286, Court of Common Pleas of Delaware County, Pa.

Golomb & Honik successfully represented dozens of individual workers—and a class of more than 1,000 additional workers—in a case arising from ongoing occupational exposure to sulfur dioxide and sulfur trioxide in Delaware County, Pennsylvania. For more than a decade, workers at an oil processing facility were exposed to emissions of sulfur dioxide and sulfur trioxide gasses from a neighboring plant. Those emissions caused reactive airways disease and occupational asthma in many workers. In addition, many others were exposed and require medical monitoring to detect the potential onset of pulmonary disease. Following years of protracted litigation, and the bankruptcy of the defendant polluter, Golomb & Honik achieved a multi-million dollar settlement against the bankrupt polluter, instead of the pennies on the dollar that many other creditors received.

Debiec v. Cabot Corp., et al., 352 F.3d 117 (3d Cir. 2003)

Golomb & Honik represented the plaintiffs in this seminal decision on the discovery rule and the statute of limitations in latent disease cases involving beryllium exposure. Summary judgment was overturned resulting in multi-million dollar settlements for estates of victims, the first of numerous cases for this affected community of exposed persons.

\$1.5 Million for Estate of 9/11 Victim

On September 11, 2001, a motivational speaker giving a speech in the World Trade Center was one of the thousands who lost his life after airplanes struck the twin towers in a terrorist attack. In response to that tragic day, the Association of Trial Lawyers of America created Trial Lawyers Care (TLC). TLC was a group of more than 2,000 lawyers from across the country who, on a pro bono basis, represented the victims of 9/11 and their families as they negotiated a complicated compensation system established by Congress. Golomb & Honik lawyers had the privilege of representing the motivational speaker's family in this process—compiling hundreds of pages of documents, completing the extensive forms necessary to obtain an “award” through the compensation system, hiring economic experts, and attending a hearing in New York. His family received more than \$1.5 million.

Additionally, Golomb & Honik has received more than 50 verdicts or settlements in excess of \$1 million for their clients in individual cases.