

EXHIBIT 5

**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 SHPETIM ADEMI IN SUPPORT OF JOINT APPLICATION FOR
ATTORNEYS' FEES AND REIMBURSEMENT OF EXPESNES FILED ON BEHALF
OF MICHAEL CLEMINS**

I, Shpetim Ademi, declare as follows:

1. I am a partner with the law firm of Ademi & O'Reilly LLP. 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: investigated the facts underlying the litigation, wrote, reviewed and/or revised the complaints, and participated in settlement discussions.

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 288.5 hours. The total lodestar for my firm is \$141,352. *See* Exhibit A.

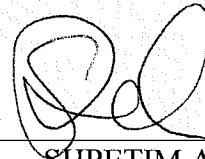
6. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expense items. Expense items are billed separately and such charges are not duplicated in my firms' billing rates.

7. As detailed in Exhibit B, my firm has incurred a total of \$1,533.13 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.

Dated: July 20, 2011



SHPETIM ADEMI

EXHIBIT A
Lodestar Summary

ADEMI & O'REILLY LLP

Timekeeper	Hours	Rate	Lodestar
Guri Ademi (P)	12.00	\$575.00	\$6,900.00
Shpetim Ademi (P)	146.50	\$550.00	\$80,575.00
David Syrios (A)	78.60	\$425.00	\$33,405.00
Corey Mather (A)	34.50	\$395.00	\$13,627.50
John D. Blythin (A)	16.90	\$405.00	\$6,844.50
TOTAL	288.50		\$141,352.00

Timekeeper Status

(P) = Partner

(A) = Attorney

(LC) = Law Clerk

(PL) = Paralegal

EXHIBIT B

[FIRM NAME]

ADEMI & O'REILLY LLP

Expense	Total
Class Notice/Press Release	
Mediation	
Deposition/Transcripts	
Filing Fee/court Fees	\$350.00
Expert/Consult/Investigation	
Process Server	
Travel/Food/Misc.	\$415.19
Telephone/Facsimile	\$6.25
In-house photocopying/printing	\$11.10
Postage/Overnight/Courier	\$77.59
Legal Research	\$673.00
TOTAL	\$1,533.13

FIRM BIOGRAPHY

We litigate securities, antitrust and consumer class actions. The firm also practices federal bankruptcy law and federal appellate law.

The Firm's Attorneys

Guri Ademi graduated from the University of Wisconsin—Milwaukee *magna cum laude* in 1990, and the University of Wisconsin Law School in 1993, serving as a Notes and Comments Editor for the *Wisconsin Law Review*. After interning with Judge Thomas Curran of the Eastern District of Wisconsin, he was an associate with Quarles & Brady LLP in its corporate finance and antitrust groups from 1993 to 2000, and an associate with Whyte Hirschboeck Dudek S.C. in its securities and antitrust groups from 2000 to 2001. He joined Ademi & O'Reilly, LLP in 2001 and heads its securities and antitrust litigation practice groups. Guri is recognized as a *Wisconsin Super Lawyer in Wisconsin Super Lawyers*.

Shpetim Ademi, the firm's founder, graduated *cum laude* from the University of Wisconsin—Milwaukee in 1992, with honors in philosophy and history, and an honors thesis in philosophy. He graduated from the University of Wisconsin Law School in 1996. After interning with Judge Charles B. Schudson of the Wisconsin Court of Appeals, 1st District, he founded the Southside Law Office in 1996, and serves as managing partner of Ademi & O'Reilly, LLP. Shpetim is recognized as a *Wisconsin Super Lawyer in Wisconsin Super Lawyers*.

Robert K. O'Reilly graduated from the University of Toronto with distinction in 1993, and from the University of Wisconsin Law School *cum laude* in 1996. He served as an Articles Editor for the *Wisconsin Law Review*, was elected to the Order of the Coif, and received the University League Award for outstanding service and scholarship to the Law School. Mr. O'Reilly served as a law clerk for Chief Judge James E. Shapiro of the United States Bankruptcy Court for the Eastern District of Wisconsin from 1996 to 1997, and Circuit Judge Daniel A. Manion of the United States Court of Appeals for the Seventh Circuit from 1997 to 1999. He is a member of Ademi & O'Reilly, LLP, joining the Firm in 1999. Mr. O'Reilly has been recognized numerous times on the Seventh Circuit Honor Roll for his appellate representation.

David J. Syrios graduated from the University of Illinois in 2000, with a degree in business administration and from Marquette University Law School in 2003. He is an associate, practicing in securities, antitrust and consumer litigation. David is recognized as a *Rising Star in Wisconsin Super Lawyers*.

John D. Blythin graduated *cum laude* from the University of Wisconsin-Madison in 1999, with a degree in political science and from University of Wisconsin Law School in 2003. He is an associate, practicing in securities, antitrust and consumer litigation.

Corey M. Mather graduated from the University of Michigan in 2000, with a degree in physics and philosophy and *cum laude* from the University of Wisconsin Law School in 2005. He is an associate, practicing in securities, antitrust and consumer litigation. Corey is recognized as a *Rising Star in Wisconsin Super Lawyers*.

FIRM HIGHLIGHTS

SECURITIES CLASS ACTIONS

IN RE: SPIEGEL, INC. SECURITIES LITIGATION (N. D. IL 2002)

We represented the class as Co-Lead counsel in this action. Settlement of \$17.5 million.

IN RE: eFUNDS CORPORATION SECURITIES LITIGATION (D. AZ 2002)

We represented the class as Co-Lead counsel in this action. Settlement of \$2.5 million.

IN RE: METAVANTE TECHNOLOGIES, INC. SECURITIES LITIGATION (MILWAUKEE COUNTY, WI 2009)

We represented the class as Co-Lead counsel in this action. Settlement of additional disclosures to shareholders.

IN RE: QUOVADX INC. SECURITIES LITIGATION (D. CO 2003)

We represented the lead plaintiff and class as counsel in this action. Settlement of \$9 million.

IN RE: DHB INC. SECURITIES LITIGATION (E.D.N.Y. 2005)

We represented one of the lead plaintiffs and the class as counsel in this action. Settlement of over \$40 million.

IN RE: NORTHWESTERN CORP. SECURITIES LITIGATION (D.S.D. 2003)

We represented secondary offering shareholders and certain bondholders. Settlement of \$40 million.

IN RE: RAYOVAC, INC.. SECURITIES LITIGATION (W.D. WI 2003)

We represented the class as *Liaison* counsel in this action. Settlement of \$4 million.

IN RE: KANDEL V. GEHL COMPANY, ET AL. (WASHINGTON COUNTY, WI 2008)

We represented the class as *Liaison* counsel in this action. Settlement of additional disclosures to shareholders.

IN RE: TOMOTHERAPY, INC., SECURITIES LITIGATION (W.D. WI 2008)

We represented the class as *Liaison* counsel in this action. Settlement of \$5 million pending.

REPRESENTATIVE RECENTLY FILED SECURITIES CLASS ACTIONS:

ADMINISTAFF, INC. (N.D. TX)	ITT EDUCATIONAL SYSTEMS (S.D. IN)
AGRIA CORP. (S.D.N.Y.)	KOSS (E.D. WI)
BIOTECHNOLOGY GENERAL CORPORATION (D. N.J.)	MERGE TECHNOLOGIES, INC. (E.D. WI)
CONEXANT SYSTEMS, INC. (D. N.J.)	MGIC INVESTMENT CORP. (E.D. WI)
CORN PRODUCTS INTERNATIONAL, INC. (N.D. IL)	OCA, INC. (E.D. LA)
CORUS BANKSHARES, INC. (N.D. IL)	OSHKOSH CORP. (E.D. WI)
DATA TEC INC. (D. N.J.)	PARAMETRIC CORPORATION (D. MA)
DIRECT GENERAL CORPORATION (M.D. TN)	PETCO ANIMAL SUPPLIES, INC. (S.D. CA)
DIVINE, INC. (N.D. IL)	PLEXUS CORP. (E.D. WI)
ESCALA, INC. (S.D.N.Y.)	R&G FINANCIAL CORP. (S.D.N.Y.)
FIFTH THIRD CORPORATION (N.D. OH)	TAKE TWO INTERACTIVE (S.D.N.Y.)
HARLEY-DAVIDSON, INC. (E.D. WI)	TRIPATH TECHNOLOGIES (C.D. CA)
IMPERIAL CHEMICALS (S.D.N.Y.)	

REPRESENTATIVE RECENTLY FILED DERIVATIVE, CORPORATE GOVERNANCE AND BUYOUT CLASS ACTIONS:

ALLIANT ENERGY CORP. (WI)	KERZNER INTERNATIONAL LTD. (CA)
BUCYRUS INTERNATIONAL, INC. (WI)	LASERSCOPE (CA)
COVAD COMMUNICATIONS GROUP, INC. (CA)	MARVEL ENTERTAINMENT, INC. (DE)
GATEWAY, INC. (CA)	MARSHALL & ILSLEY CORP. (WI)
GOLDEN WEST FINANCIAL CORP. (CA)	MERGE (WI)
I2 (TX)	RIGGS NATIONAL CORP. (DE)
INTERMAGNETICS GENERAL CORP. (NY)	RITA MEDICAL SYSTEMS, INC. (CA)
JOHNSON OUTDOORS, INC. (WI)	SPORTSMAN GUIDE, INC. (MN)
KEANE, INC. (MA)	TRIZEC PROPERTIES, INC. (IL)

ANTITRUST CLASS ACTIONS

IN RE: AUTOMOTIVE REFINISHING PAINT ANTITRUST LITIGATION - MDL DKT. No. 1426 (E.D. PA 2001)

We acted as co-counsel in more than 20 lawsuits brought against the major car paint manufacturers, including Sherwin Williams, Akzo Nobel, DuPont, PPG Industries and BASF. Settlement of more than \$108 million.

IN RE: INTERNATIONAL AIR TRANSPORTATION SURCHARGE ANTITRUST LIT. - MDL DKT. No. 1793 (N.D. CAL 2006)

We represented the class as co-counsel in this action. Settlement of over \$200 million.

BLESSING ET AL V. SIRIUS XM RADIO INC. (S.D. NY 2009)

We represented the class as co-counsel in this action. Settlement valued at over \$180 million. (Currently Pending)

REPRESENTATIVE RECENTLY FILED ANTITRUST CLASS ACTIONS:

- FOND DU LAC BUMPER EXCHANGE INC V. JUI LI ENTERPRISE COMPANY LTD ET AL (E.D. WI 2010)
- IN RE: POLYURETHANE FOAM ANTITRUST LITIGATION MDL DKT. No. 2196 (N.D. OH 2010)
- IN RE: FRESH AND PROCESS POTATOES ANTITRUST LITIGATION. - MDL DKT. No. 2186 (D. ID 2010)
- IN RE: PHOTOCROMIC LENS ANTITRUST LITIGATION - MDL DKT. No. 2173 (M.D. FL 2010)
- IN RE: MUSICAL INSTRUMENTS AND EQUIPMENT ANTITRUST LITIGATION - MDL DKT. No. 2121 (S.D. CAL 2009)
- IN RE: ANDRO GEL ANTITRUST LITIGATION - MDL DKT. No. 2060 (N.D. GA 2009)
- IN RE: AFTERMARKET AUTOMOTIVE LIGHTING PRODUCTS ANTITRUST LITIGATION - MDL DKT. No. 2007 (C.D. CAL 2009)
- IN RE: PROCESSED EGG PRODUCTS ANTITRUST LITIGATION - MDL DKT. No. 2002 (E.D. PA 2008)
- IN RE: TEXT MESSAGING ANTITRUST LITIGATION - MDL DKT. No. 1997 (N.D. IL 2008)
- IN RE: POTASH ANTITRUST LITIGATION - MDL DKT. No. 1996 (N.D. IL 2008)
- IN RE: AFTER MARKET AUTO FILTERS ANTITRUST LITIGATION - MDL DKT. No. 1957 (N.D. IL 2008)
- IN RE: PACKAGED ICE ANTITRUST LITIGATION - MDL DKT. No. 1952 (E.D. MI 2008)
- IN RE: CHOCOLATE CONFECTIONARY - MDL DKT. No. 1917 (N.D. PA 2008)
- IN RE: CATHODE RAY TUBE ANTITRUST LITIGATION - MDL DKT. No. 1917 (N.D. CAL 2008)
- LAFLAMME ET AL. V. SOCIETE AIR FRANCE ET AL.. (E.D. NY 2008)
- IN RE: GRAPHICS PROCESSING UNITS ANTITRUST LITIGATION - MDL DKT. No. 1826 (N.D. CAL 2008)
- SKORSTAD V. SAMSUNG ELECTRONICS COMPANY, LTD (N.D. CAL 2007)

CONSUMER CLASS ACTIONS

MCKINNIE V. CHASE BANK (E.D. WI 2008)

We represented the class as Lead Counsel in this action under the Electronic Funds Transfer Act. Settlement of \$2.1 million.

IN RE: COUNTRYWIDE FINANCIAL CORP. CUSTOMER DATA SECURITY BREACH MDL DKT. No. 1998 (W.D. KY 2008)

We represented the class as Co-Counsel in this action. Settlement value estimated over \$600 million.

IN RE: HEARTLAND PAYMENT SYSTEMS, INC., CUSTOMER DATA SECURITY BREACH MDL DKT. No. 2046 (S.D. TX 2009)

We represented the class as a member of the Steering Committee in this action. Settlement value estimated over \$4.5 million currently pending.

IN RE OCEAN BANK FINANCIAL CORP. PRE-SCREENING LITIGATION - MDL DKT. No. 1998 (N.D. IL 2006)

We represented the class of Wisconsin Consumers as Lead Counsel in this action under the Fair Credit Reporting Act.

REPRESENTATIVE RECENTLY FILED CONSUMER CLASS ACTIONS:

- WALTON ET AL V. BANK OF AMERICA CORPORATION ET AL (E.D. WI 2011)
- CLEMINS V. ALLIANCE DATA SYSTEMS CORPORATION ET AL (E.D. WI 2011)
- CLEMINS ET AL V. GE MONEY BANK (E.D. WI 2011)
- CLEMINS V. J.P. MORGAN & Co. CHASE (E.D. WI 2010)
- ALLEE V. SONY COMPUTER ENTERTAINMENT AMERICA, INC.. - (E.D. WI 2010)
- IN RE: TOYOTA MOTOR CORP. UNINTENDED ACCELERATION PRODUCTS LIABILITY LITIGATION - MDL DKT. No. 2151 (C. D. CAL 2009)
- IN RE: LIGHT CIGARETTES MARKETING AND SALES PRACTICES LITIGATION. - MDL DKT. No. 2068 (D. ME 2009)
- IN RE: CHASE BANK USA, N.A., "CHECK LOAN" CONTRACT LITIGATION - MDL DKT. No. 2032 (N.D. CAL 2009)
- PETLACK V. SC JOHNSON & SON INCORPORATED (E.D. WI 2008)