

1 SAMUEL G. LIVERSIDGE (SBN 180578)
sliversidge@gibsondunn.com
2 RODNEY J. STONE (SBN 145405)
rstone@gibsondunn.com
3 GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
4 Los Angeles, California 90071-3197
Telephone: (213) 229-7365
5 Facsimile: (213) 229-6365

6 Attorneys for Defendant
HP INC.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11
12 IN RE HP PRINTER FIRMWARE UPDATE
LITIGATION

CASE NO. 5:16-cv-05820-EJD-SVK

**DECLARATION OF SAMUEL G.
LIVERSIDGE IN SUPPORT OF
DEFENDANT HP INC.'S OPPOSITION TO
PLAINTIFFS' MOTION FOR ATTORNEYS'
FEES, COSTS, AND SERVICE AWARDS**

1 I, Samuel G. Liversidge, hereby declare as follows:

2 1. I am a partner in the law firm of Gibson, Dunn & Crutcher LLP, counsel of record for
3 Defendant HP Inc. (“HP”) in the above-referenced action. I submit this declaration in support of HP’s
4 Opposition to Plaintiffs’ Motion for Attorneys’ Fees, Costs, and Service Awards (Dkt. 119).

5 2. Each of the facts stated herein is true, correct, and, unless otherwise noted, within my
6 personal knowledge. If called upon as a witness, I could and would testify as to the truth of these
7 statements.

8 **Document and Written Discovery:**

9 3. HP produced to Plaintiffs a total of 12,174 pages of documents in this litigation.

10 4. Plaintiffs produced to HP a total of 527 pages of documents in this litigation.

11 5. Two third parties produced documents pursuant to third-party subpoenas that Plaintiffs
12 served in this litigation: CompAndSave.com Inc. produced 10 documents, and Inkpal, LLC produced
13 4 documents.

14 6. During this litigation, HP served 15 interrogatories to each Plaintiff. Plaintiffs served
15 22 interrogatories to HP. Neither party served any requests for admission.

16 7. No party filed any discovery motions in this litigation.

17 **Depositions:**

18 8. In total, 8 depositions were taken in this litigation: 2 depositions of HP’s corporate
19 representatives pursuant to Federal Rule of Civil Procedure 30(b)(6), and one deposition of each of the
20 6 named, or former named, Plaintiffs (James Andrews, Robert Doty, Richard Faust, Delores Lawty,
21 Richard San Miguel, and Christopher Ware).

22 9. Each deposition of the named Plaintiffs lasted between 1.8 to 2.6 hours in duration.

23 10. During the depositions of HP’s corporate representatives pursuant to Federal Rule of
24 Civil Procedure 30(b)(6), Plaintiffs used a total of 18 document exhibits.

25 11. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from the November
26 29, 2017 deposition of Matthew Barkley, who testified on behalf of HP pursuant to Federal Rule of
27 Civil Procedure 30(b)(6).

28 12. No third parties were deposed in this litigation.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is true
2 and correct.

3 Dated: March 26, 2019

4 _____
5 /s/ Samuel G. Liversidge
6 Samuel G. Liversidge
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28