

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

Katherine M. Cleary, <i>et al.</i> , individually and on behalf of others similarly situated,	)	
	)	
Plaintiffs,	)	Civil Action No. 4:21-cv-00184-O
	)	
v.	)	Hon. Reed O’Conner, USDJ
	)	Hon. Hal R. Ray, Jr., USMJ
American Airlines, Inc.,	)	
	)	
Defendants.	)	
	)	
_____	)	

**DECLARATION OF MICHAEL EYERLY IN SUPPORT OF MOTION FOR  
AN AWARD OF ATTORNEY’S FEES AND COSTS**

I, Michael C. Eyerly, declare as follows:

1. I am a partner of the law firm DeBlase Brown Eyerly LLP (“DBE”), attorneys of record for Plaintiffs in this action. I submit this declaration in support of Plaintiffs’ motion for an award of attorney’s fees and costs in connection with services rendered in this action. I have personal knowledge of the following facts and, if called as a witness, could and would competently testify thereto.

2. DeBlase Brown Eyerly LLP is made of experienced counsel with a background in class action and complex case litigation. I am the attorney with primary responsibility for this case at DeBlase Brown Eyerly LLP.

3. Briefly stated, my firm and I have a great deal of experience working on class action and complex cases. I received by law degree in 1995, along with a Certificate in Dispute Resolution. My experience encompasses a range of practice areas, including consumer class action, products liability, asbestos litigation, personal injury, and criminal defense. I started my legal career clerking at the U.S.

Attorney's Office and then clerking for the Honorable Kathy A. Hardcastle, Eighth Judicial District Court, Nevada. I was a partner with the Kiesel Boucher Larson, LLP law firm, where I handled consumer class actions and complex cases, before co-founding the DeBlase Brown Eyerly LLP law firm in 2010. I believe that I and my law firm are well-respected within the legal profession. I have been a member of a number of professional associations, including Consumer Attorneys of California, Consumer Attorneys of Los Angeles, Los Angeles County Bar Associations, American Bar Association, and Trial Lawyers for Public Justice. I have been a part of successfully certifying and resolving a number of consumer class actions. I have litigated Multidistrict Litigation matters, as well as Judicial Counsel Coordinated Proceedings. For example, I served as Plaintiffs' co-lead counsel in the UCLA Willed Body Program Litigation (*Cohen v. Johnson & Johnson, et al.*) and as Plaintiffs' liaison counsel in *Northridge Earthquake Litigation (State Farm Group)*. I have also authored and co-authored a number of articles and publications concerning consumer class topics and law.

4. DBE was involved in the original case filing in California, including preparation, filing and service of the initial Class Action Complaint for breach of contract, *Cleary v. American Airlines, Inc.*, Case No. 2:20-cv-08139-PA-MRW. DBE prepared and filed the *pro hac vice* application for co-counsel, as well as other initial pleadings, *e.g.*, Joint Rule 26(f) Report. DBE was involved in decision to seek transfer of the action and the motion to transfer this action to the Northern District of Texas. DBE also coordinated, attended and defended the Plaintiff's deposition. DBE further reviewed pleadings, correspondence and case filings throughout the litigation.

5. All attorneys, paralegals, law clerks and support staff at my firm are instructed to maintain contemporaneous time records reflecting the time spent on this and other class matters. The total number of hours spent on this litigation by my firm, excluding the preparation of the instant declaration submitted in support of fees and costs, was 54.8 hours. The total lodestar amount for my firm is \$29,995.00. The hourly rates shown below represent the blended usual and customary rates charged for each individual on all of our cases during the pendency of this litigation. A breakdown of the DeBlase Brown Eyerly LLP lodestar is as follows:

**Time Report from Case Inception**

<b>NAME</b>	<b>HOURS</b>	<b>RATE</b>	<b>LODESTAR</b>
Michael C. Eyerly (Partner)	32.30	\$650.00	\$20,995.00
Aileen Huang (Associate)	22.50	\$400.00	\$9,000.00
<b>TOTALS</b>	<b>54.80</b>		<b>\$29,995.00</b>

6. DeBlase Brown Eyerly LLP’s attorney rates are on par with rates charged by similarly prestigious firms located in California. I have consulted other firms to ascertain comparable litigation partner and associate hourly rates.

7. DeBlase Brown Eyerly LLP incurred a total of \$1,006.88 in unreimbursed expenses in connection with the prosecution of this litigation. These expenses are delineated as follows:

**Expense Report from Case Inception**

<b>DISBURSEMENT</b>	<b>TOTAL COSTS</b>
Filing Fees	\$900.00
Service of Process Costs	\$75.00
Overnight Mail	\$31.88
<b>TOTAL EXPENSES</b>	<b>\$1,006.88</b>

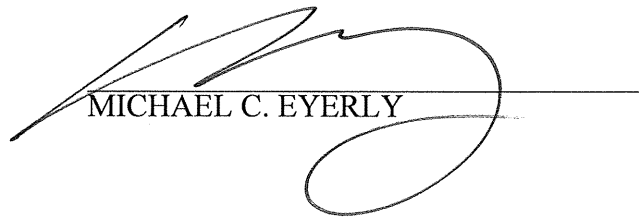
8. The expenses incurred by DBE in this case are reflected in the books and records of this firm. These books and records are prepared from invoices, expense vouchers and check records and are an accurate record of the expenses incurred.

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

Executed this 14<sup>th</sup> day of December, 2022, at Los Angeles, California.

  
MICHAEL C. EYERLY