

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TRACY MCPHERSON on behalf of himself
and all others similarly situated,

Plaintiff,

v.

AMERICAN BANK SYSTEMS, INC.,

Defendant.

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) Case No. 5:20-cv-01307-G
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**DECLARATION OF E. KIRK WOOD IN SUPPORT OF PLAINTIFFS' PETITION FOR
AWARD OF ATTORNEYS' FEES FILED ON BEHALF OF WOOD LAW FIRM, LLC**

I, E. KIRK WOOD, declare and state as follows:

- I. I am the MANAGING PARTNER of the law firm of WOOD LAW FIRM, LLC. My firm's resume is attached hereto as Exhibit 1. I submit this Declaration in support of Plaintiffs' petition for an award of attorneys' fees and reimbursement of costs and expenses in connection with services rendered and expenses incurred by my firm in connection with this litigation.
- II. My firm has acted as counsel to Plaintiffs and Plaintiffs' classes in this action. During the period from case inception through May 31, 2022, my firm conducted the following activities for the common benefit of Plaintiffs: The total number of hours expended on

this litigation by my firm from case inception through May 31, 2022, is 52.6 hours. The total lodestar for my firm in this time period is \$41,910.00.

- III. For the time period December 1, 2020 through May 31, 2022, and at the request of Plaintiffs' Co-Lead Counsel, my firm conducted the following activities for the common benefit of Plaintiffs: The total number of hours expended on this litigation by my firm from case inception through May 31, 2022, is 52.6 hours. The total lodestar for my firm is \$41,910.00. My firm's lodestar figures are based on the firm's historic hourly billing rates. The hourly rates for the partners, attorneys and professional support staff in my firm are the same as the usual and customary hourly rates charged for their services in contingent billable matters. The total number of hours was determined by the examination of contemporaneous, daily time records regularly prepared and maintained by my firm and which have been provided to Co-Lead Counsel for their review.
- IV. Attached hereto as Exhibit 2 is a detailed summary indicating the amount of time spent by the partners, attorneys and other professional support staff of my firm who have been involved in this litigation, and the lodestar calculation is based on my firm's historic hourly billing rates from case inception through May 31, 2022.
- V. As detailed in Exhibit 3, my firm has incurred a total of \$1,082.48 in unreimbursed expenses during the period from case inception through May 31, 2022. These expenses

do not include my firm's assessment payments to the common cost litigation fund maintained by Co-Lead Counsel.

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

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

Executed on this 9th day of June, 2022 at Birmingham, Alabama.

/s/ E. Kirk Wood
E. Kirk Wood

Exhibit 1

FIRM RESUME

E. Kirk Wood - Managing Partner
Wood Law Firm, LLC
P.O. Box 382434; Birmingham, AL 35238
Phone: (205) 612-0243; Fax: 866-747-3905
ekirkwood1@bellsouth.net

EDUCATION:

BS, University of Alabama 1976; MS, Troy University 1984; JD, Cumberland School of Law 1987

LICENSED:

Alabama and Florida Bar

INSTRUCTION:

Adjunct Professor of Law, University of Alabama, 1992

ADMITTED:

Supreme Court of Alabama; Supreme Court of Florida; US District Court for the Northern District of Alabama; US District Court for the Middle District of Alabama; US District Court for the Northern District of Florida; US Court of Appeals for the Eleventh Circuit; US Court of Appeals for the Fourth Circuit
United States Supreme Court

MEMBER:

American Bar Association; Alabama Bar Association; Florida Bar Association; Birmingham Bar Association; Federal Bar Association

CURRENT MULTI DISTRICT AND CLASS LITIGATION MATTERS:

In re: Blue Cross Blue Shield Antitrust Litigation (Plaintiffs Local Facilitating Counsel; Plaintiffs Steering Committee);

In re: Generic Pharmaceuticals Pricing Antitrust Litigation

In re: Local TV Advertising Antitrust Litigation

In re: Amiodarone Drug Litigation

In re: Woolsey Fire Litigation

In re: Google Assistant Privacy Litigation

In re: TikTok, Inc. Consumer Privacy Litigation

In re: DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation;

RECENT REPRESENTATIVE MULTIDISTRICT AND CLASS LITIGATION MATTERS:

(All of which are now closed):

In re: TJX Retail Security Breach Litigation (Plaintiffs' Steering Committee)

In re: Vioxx Products Liability Litigation

In re: Bausch & Lomb Contact Lens Solution Products Liability Litigation (Plaintiffs Steering Committee)

In re: Heparin Products Liability Litigation (Plaintiffs Steering Committee)

In re: Total Body Formula Products Liability Litigation (Co-Lead and Liaison Counsel; Plaintiffs Executive Committee)

In re: Puerto Rico Cabotage Antitrust Litigation (Plaintiffs Steering Committee)

In re: Countrywide Security Breach Litigation (Plaintiffs Steering Committee)

In re: Hydroxycut Marketing and Sales Practices Litigation

In re: Heartland Payment Systems, Inc. Customer Data Security Breach Litigation

Denise Howerton, et al. vs. Cargill, Inc. (Truvia)

In re: Zappos.com, Inc., Customer Data Security Breach Litigation;

In re: DePuy Orthopaedics, Inc. ASR Hip Implant Products Liability Litigation;

In re: Stryker Rejuvenate and ABG II Hip Implant Products Liability Litigation;

In re: Community Health Systems, Inc., Customer Security Data Breach Litigation (Plaintiffs' Steering Committee);

Exhibit 2

Exhibit 2

Wood Law Firm Time Summary

Professional	Role	Rate	Hours	Lodestar
E. Kirk Wood	Partner	\$850.00	45.6	\$38,760.00
Michael Gurley	Associate	\$450.00	7	\$3,150.00
		Total:	52.6	\$41,910.00

Exhibit 3

Exhibit 3

Wood Law Firm Expense Summary

Category	Amount
Mileage for Meetings with Client	\$820.82
Food for Meetings with Client	\$261.66
Total	\$1,082.48