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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VERONICA GUTIERREZ, ERIN WALKER
and WILLIAM SMITH, as individuals and
on behalf of all others similarly situated,

Plaintiffs,

No. C 07-05923 WHA

v.

WELLS FARGO BANK, N.A.,

**ORDER RE CLASS COUNSEL’S
FEE APPLICATION**

Defendant.
_____ /

Class counsel seek millions of dollars in fees and expenses and agree that class members are entitled to notice and an opportunity to object to their fee application. In this connection, a prior order required class counsel to submit, among other things, a detailed description of the work done, giving the date, hours expended, attorney name, and task for each work entry, in chronological order (Dkt. No. 619). This submission would allow class members, defendant, and the undersigned judge to meaningfully evaluate the application.

Now, class counsel argue that the narrative descriptions of their time entries are “confidential attorney work product” and “attorney-client communications.” They seek to either lodge their descriptions *ex parte* and *in camera*, or to hold off filing their descriptions until the conclusion of any appeal of the October 2014 decision by our court of appeals.

Wells Fargo opposes class counsel’s motion because the order did not call for original time records but a description of each task for which fees are sought. Those descriptions may be drafted to avoid disclosing any privileged information. Wells Fargo, however, proposes modifying the order to state (Dkt. No. 625) (*italics denoting proposal*):

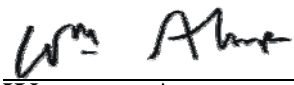
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If the opposing party doubts the accuracy of the declaration, then the moving party must immediately produce the original underlying time records for inspection upon request. *If such time records contain text that would reveal attorney-client communications or confidential attorney work product, the time records may be redacted to protect such confidential information. Such redactions must be as narrowly tailored as possible to achieve the result of protecting the privileged or confidential information at issue.*

Class counsel’s motion is **DENIED**. Class members are entitled to learn the detailed descriptions for each task for which fees are sought. That information can be presented in such a way as to avoid disclosing privileged information. Wells Fargo’s proposed modification is **GRANTED**. If the accuracy of a declaration is doubted and an inspection is required, both sides may make narrowly-tailored redactions to protect privileged information. Please be reasonable.

IT IS SO ORDERED.

Dated: February 12, 2015.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE