

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIANNE CRONAS, LINDA PASICHNYK :
and THERESA REARDON, individually and :
on behalf of all similarly situated persons, :

Plaintiffs, :

-against- :

WILLIS GROUP HOLDINGS, LTD., WILLIS :
OF NORTH AMERICA INC., WILLIS OF :
NEW YORK, WILLIS OF NEW JERSEY, :
WILLIS OF MASSACHUSETTS, :

Defendants. :

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06 CV 15295 (RMB)(DCF)
ECF Case

**DECLARATION OF
WAYNE N. OUTTEN
IN SUPPORT OF
PLAINTIFFS' APPLICATION FOR
ATTORNEYS FEES AND EXPENSES**

WAYNE N. OUTTEN, an attorney admitted to practice in the Courts of New York,
declares under penalty of perjury as follows:

1. I am a lawyer admitted to practice before this Court and am a member of the firm of Outten & Golden LLP with offices at 3 Park Avenue, New York, New York.
2. I submit this affirmation in connection with Plaintiff's application for an award of attorneys' fees in the above-referenced caption. I am not associated with either party.
3. I am a graduate of New York University Law School and was admitted to practice in the State of New York. I am also admitted to practice in the Federal District Courts for the Southern and Eastern Districts of New York as well as the United States Supreme Court. I was a law clerk for the U.S. District Court Judge Gus J. Solomon from 1974 to 1976.
4. I am a founding member of the Executive Board of the National Employment Lawyers Association and served on the Board for more than eleven years. I also served as co-

chair of the National Employment Lawyers Association International Law Committee. I founded the New York affiliate of the National Employment Lawyers Association and was its President for more than 15 years. I am the co-founder and an officer of Workplace Fairness, a charitable and educational organization.

5. I am an active member of the New York State Bar Association's Labor and Employment Law Section. I am on the Section's Executive Committee and was co-chair of various of its committees, including International Labor and Employment Law and Alternative Dispute Resolution.

6. I have been in private practice in New York City for thirty-two years. For most of that period, the focus of my practice has been representing employees in all areas of employment law, including litigation of employment and discrimination cases. My firm, Outten & Golden, has more than thirty-five attorneys, all of whom focus on representing employees.

7. Based on my experiences in private practice and as a bar leader, I am familiar with the market rates for lawyers who practice civil rights and employment discrimination law in the New York City area. The hourly rates for experienced senior attorneys representing plaintiffs in employment litigation in this community range from \$500 to \$750 per hour, occasionally higher.

8. My hourly rate is \$975. That is the standard rate I charge for all hourly work, which constitutes the vast majority of my practice. My partners Adam T. Klein, Laurence S. Moy, and Anne Golden, charge \$740, \$740, and \$700 per hour respectively. Mr. Klein is a 1990 graduate of Hofstra University Law School; Mr. Moy is a 1985 graduate of Cornell Law School; and Ms. Golden is a 1978 graduate of Rutgers Law School-Newark. Our rates for mid-level partners and senior counsel range from \$600 to \$700; for junior partners and other counsel who


graduated from law school in the 1999-2001 range, our rates are from \$525 to \$550; and for associates who graduated from law school in 2004, our rate is \$400. My firm's rates are within market rates for top attorneys in the employment law and class action fields in New York City. We rarely charge less than our hourly rates (except for some full or partial contingency matters).

9. I understand that plaintiffs were represented in this case by Robert L. Herbst, Esq., Darnley Stewart, Esq., Christine Webber, Esq. and Rosalind S. Fink, Esq., and that they are seeking fees at the rates of \$725 per hour for Mr. Herbst, \$625 for Ms. Webber, \$585 per hour for Ms. Stewart, and \$500 for Ms. Fink.

10. I have known Mr. Herbst for years as an attorney who concentrates his practice in civil rights and employment law, including class actions. The same is true of Ms. Stewart and Ms. Webber, who concentrate their practices in employment law and class actions, and of Ms. Fink, who concentrates her practice in employment law. They are all highly regarded by their colleagues in these fields, and have reputations as very capable, hard-working, tenacious, and effective advocates for their clients. Their current (and in the case of Mr. Herbst, his former) firms also have an excellent reputations in New York.

11. Based on these factors, Mr. Herbst, Ms. Stewart, Ms. Webber and Ms. Fink clearly should be compensated near the top level among civil rights, employment and class action lawyers in New York City. Based on their credentials, expertise, and experience, and based on the rates charged by our firm and other firms, I believe that the hourly rates they seek are entirely reasonable and appropriate in this marketplace and are well within the market rates for this type of matter.

Dated: New York, New York
October 31, 2011


Wayne N. Outten