

The Hon. Marsha J. Pechman

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH MCGUIRE and DAVID
WILCZYNSKI, on Behalf of Themselves
and All Others Similarly Situated,

Plaintiffs,

vs.

DENDREON CORPORATION,
MITCHELL GOLD, and DAVID URDAL,

Defendants.

Case No. C07-800 MJP

CLASS ACTION

**SUPPLEMENT TO PLAINTIFFS’
MOTION FOR AWARD OF
ATTORNEYS’ FEES AND EXPENSES
AND CLASS REPRESENTATIVE
COSTS**

NOTE ON MOTION CALENDAR:
December 17, 2010

ORAL ARGUMENT REQUESTED

1 Plaintiffs and their attorneys hereby supplement Plaintiffs' Motion for Award of
2 Attorneys' Fees and Expenses and Class Representative Costs (Docket Entry No. 220)
3 ("Fees and Expenses Motion") to include a request for reimbursement of costs and expenses
4 incurred by Class Counsel associated with the printing, publication, and mailing of the
5 Notice of Pendency of Class Action and Summary Notice of Pendency of Class Action
6 pursuant to this Court's Order (Docket Entry No. 182).¹

7 These costs, in the amount of \$82,861.00, were not invoiced by the Notice
8 Administrator, Gilardi & Co. LLC, to Class Counsel until November 19, 2010, and as such
9 the costs could not be included in the Fees and Expenses Motion filed on November 10,
10 2010. Supplemental Declaration of Marc M. Seltzer in Support of Plaintiffs' Motion for
11 Award of Attorneys' Fees and Expenses ("Seltzer Supp. Decl.") ¶ 2, submitted concurrently
12 herewith.

13
14 The amount requested in the original Fees and Expenses Motion for reimbursement
15 of costs and expenses incurred by Class Counsel was \$599,156.09. With these late-invoiced
16 costs now included, the amount requested is \$682,017.09. Seltzer Supp. Decl. ¶ 3. This
17 remains less than the \$750,000 maximum amount of costs and expenses stated in the Notice
18 of Proposed Settlement of Class Action already mailed to Class Members. See Docket Entry
19 No. 228, at 11 (on page 6 of Exhibit A to Declaration of Carole K. Sylvester).

20 Accordingly, the requested reimbursement of costs and expenses incurred by Class
21 Counsel in the Fees and Expenses Motion is hereby updated to \$682,017.09.

22 Dated: December 2, 2010

Respectfully submitted,

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24 By: /s/ Marc M. Seltzer
Marc M. Seltzer (admitted *pro hac vice*)

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27 ¹ Class Counsel understands that these costs and expenses may be payable directly from the Settlement Fund
28 pursuant to paragraph 5.2(b) of the Stipulation of Settlement. However, in an abundance of caution should the
Court find otherwise, Class Counsel is submitting this supplement to the Fees and Expenses Motion. For
clarity, Class Counsel does not seek duplicative payment for this cost and expense item.

