

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

PRECISION ASSOCIATES, INC., et al., on
behalf of themselves and all others similarly
situated,

Plaintiffs,

vs.

PANALPINA WORLD TRANSPORT
(HOLDING) LTD., et al.,

Defendants.

Case No.: 08-CV-00042 (BMC) (PK)

**DECLARATION OF CLAWSON “CHIP” CANNON III IN SUPPORT OF CLASS
COUNSEL’S MOTION FOR APPROVAL OF SERVICE AWARDS TO CLASS
REPRESENTATIVES**

I, Clawson “Chip” Cannon III, being duly sworn, hereby declare as follows:

1. I am Vice President, General Counsel, and Secretary of Norma Pennsylvania, Inc. (“Norma”), a Class Representative in this matter.
2. I am submitting this Declaration in support of Class Counsel’s Motion for Approval of Service Awards to Class Representatives. If asked to testify, I could competently testify to the facts set forth in this Declaration.
3. This declaration is based upon my personal knowledge, experience, and/or upon information acquired from Norma employees.
4. At no time did Class Counsel or anyone ever promise me or my company any type of financial compensation for Norma’s work as a named class representative, or otherwise, beyond what my company would receive as its share as a Class Member of any settlement or judgment achieved.

5. Norma has always understood that whether it received a service award, and its amount, would be decided by the Court in its discretion. No one promised Norma or me a service award of any amount.

6. I reside in Oakland County, Michigan, where I am employed by Norma, a business that engages in the manufacture and sale of products, including clamps.

7. Norma first became involved in this case in late 2012, when Norma (through its outside counsel) filed a class action lawsuit against freight forwarders alleging a conspiracy to fix, maintain and stabilize the price of Freight Forwarding Services, including various surcharges.

8. As part of Norma's duties as a Class Representative, I (and other Norma employees) consulted with our attorneys and stayed abreast of the status of the litigation.

9. I reviewed updates from counsel regarding developments in the class action in conjunction with my duties as a representative of the class representative, including actually reviewing pleadings (motions to dismiss, reports and recommendations, various other motions, orders, etc.).

10. These efforts included calls, e-mails and meetings, both internally and with Norma's counsel, along with my review of numerous filings with the Court and other papers. The need to respond to our counsel's questions, and to assemble information and documents needed in the case, ultimately fell upon persons in the company who had diverse responsibilities and who under normal conditions are very busy dealing with their daily assignments. Therefore, the time spent obtaining information for this case often pulled our employees away from regular work responsibilities and required them to add and juggle these additional case-related tasks as

best they could to meet our responsibilities as a class representative while still maintaining our service to our regular clients who operated in time sensitive environments.

11. By my count, over thirty employees and/or representatives of Norma assisted with providing information for this litigation. Some of the departments which provided assistance were: Accounting, Operations, Human Resources, Distribution Services, Shipping and Logistics, and Information Technologies.

12. Norma has operations in Saltsburg, Pennsylvania; Auburn Hills, MI; Lake Orion, MI; St. Clair, MI; and El Paso, TX. Individuals from all of these locations, including in most cases the local Controllers, assisted with our support and maintenance of the litigation.

13. Of particular cost to NORMA, Norma's Senior Manager of Logistics, Tina Turlescu, was deposed as a Rule 30(b)(6) witness for this litigation. Preparation for this deposition required a significant amount of Ms. Turlescu's time as the number and range of topics for which she was required to prepare and provide testimony were quite extensive. These topics included:

- (a) The Surcharges, including their implementation and any communications with providers of Freight Forwarding Services referring or relating to Surcharges;
- (b) The particular claims in the CTAC that the Named Plaintiff Norma and the class asserted against DHL;
- (c) The factual allegations in the CTAC and the source of each allegation, including the date the Named Plaintiff Norma learned of each fact;
- (d) Norma's use of Freight Forwarding Services during the Relevant Period, including the routes on which Norma used Freight Forwarding Services, the type of freight involved, the freight forwarders that Norma used, and Norma's strategy and/or procedures for procuring Freight Forwarding Services;
- (e) Norma's contracts or agreements with any Defendant named in the CTAC regarding, relating to, or bearing upon Freight Forwarding Services or Surcharges.
- (f) The persons responsible for purchasing Freight Forwarding Services on Norma's behalf, their job titles and responsibilities;
- (g) The persons with whom the witness and Norma had contact regarding purchases of Freight Forwarding Services;

- (h) The systems that Norma used to track its purchases of Freight Forwarding Services and to store records associated with those purchases and the information that those systems record;
- (i) The names of persons Norma identified as potential suppliers of Freight Forwarding Services;
- (j) Norma's corporate structure or organization, including the relationship between Norma and its parents, subsidiaries, affiliates, partners, and joint ventures, and, where applicable, the percentage of any stock or other interests owned by each entity in the chain of another entity in the chain;
- (k) Norma's document retention policies; and
- (l) Norma's participation in this lawsuit, including the date on which Norma first contemplated bringing the claims in this lawsuit or substantially similar claims.

14. For the Rule 30(b)(6) deposition, Ms. Turlescu traveled from Michigan to New York, as did I in order to attend the deposition as Norma's counsel. We each missed work in order to prepare for, and attend, the deposition.

15. Ms. Turlescu also attended numerous meetings with attorneys and with other Norma employees in order to prepare for the deposition and be qualified on the designated topics in the deposition notice. This also required review of paper and electronic records. Ms. Turlescu conducted numerous in-person and teleconference meetings with counsel on other topics, such as interpretation of transactional reports and Norma's policies regarding shipping.

16. All in all, I estimate that Ms. Turlescu easily spent at least 100 hours assisting with this litigation. Countless additional hours were incurred by other Norma employees.

17. In addition to the efforts mentioned above, I and Norma (through our employees) engaged in numerous other efforts on behalf of the class.

18. Norma provided information and documents in response to up to seven different sets of discovery requests (which included Japanese versus non-Japanese claims). Norma provided information for 26 different interrogatories, spread out over several sets of discovery, and numerous document requests.

19. It is my understanding, based upon reports from our employees and from our counsel, that over 33,000 pages of documents were produced to opposing counsel. In addition, according to information I believe is reliable, we made available nearly 1000 boxes of documents for inspection.

20. Individuals from the IT department, and other senior managers or executives, searched our current and former computer systems for documents responsive to numerous discovery requests. This included the difficult process of attempting to locate archived information of the several companies which Norma has acquired and/or merged with over the years. This was part of the painstaking process of obtaining detailed freight transactional data pursuant to discovery requests. All of our sites and facilities with archived records were required to carry out this process.

21. Our employees at our facility in Pennsylvania made themselves available and hosted our attorneys for three business days in order to complete a review of the extensive collection of paper documents which were located at the facility. The Pennsylvania staff located the relevant records and transported them to an area in order for the attorneys to review the documents. Numerous pallets were situated for the attorneys. After sorting, approximately 130 bankers' boxes were determined likely to contain relevant documents. Shipping, supervisory and rank and file personnel assisted during the effort.

22. The Pennsylvania employees also planned and arranged for over 800 select boxes to be viewed by defense counsel, although defense counsel elected not to review them. These boxes were located at an off-site storage facility (called "Iron Mountain") located in northern Pennsylvania. The 800 boxes, which were likely to contain relevant information, were selected out of a pool of over 2,000 boxes. The process of selecting these boxes included retrieving and

copying storage facility transfer records, reviewing transfer records for likely relevant titles, communicating with Iron Mountain management, and obtaining estimates of cost from Iron Mountain to move the boxes from the storage vaults to inspection rooms, all of which were done by Norma's employees.

23. Our Auburn Hills facility arranged for our attorneys to enter our plant and review documents located in our on-premise storage facility. Our efforts during these events included retrieving boxes from storage locations, relocating the boxes to a segregated area on the shipping floor, and providing supervisory and rank and file and shipping department personnel to assist for the duration of the visits. The attorneys reviewed documents for approximately ten days. We also permitted the attorneys to remove, and assisted with the removal of, numerous boxes in order for them to be reviewed and/or scanned.

24. Our employees in Auburn Hills arranged for very old documents to be retrieved and arranged in order for counsel to review them. The documents, which had been stored on top of a room in the manufacturing plant, had to be placed on pallets and relocated to an appropriate inspection location through the use of a hi-lo vehicle. Over 330 boxes were retrieved for review.

25. We arranged for the attorneys to access the off-site storage facility in Auburn Hills, MI. Like at Norma's Auburn Hills facility, we permitted the attorneys to remove relevant boxes for scanning and reviewing.

26. Our staff in St. Clair met with our attorneys in order to provide information and review documents for discovery requests. In addition, the Plant Controller maintained consistent contact via email and teleconference with counsel.

27. Norma also coordinated with our third party logistics service provider in El Paso, TX to obtain information related to the discovery requests.

28. I arranged a conference call with employees from all of our shipping locations (St. Clair, Pennsylvania, Auburn Hills, and Texas) and the local attorneys in order to provide initial information on freight purchasing and shipping practices.

29. We often gathered information and answered questions on a quick timetable pursuant to attorney requests. For instance, on one occasion, we were told it was important to locate paperwork related to Japanese shipping routes and related payment documents. Even though it was the year-end accounting audit (which is a very busy time), our accountants took the time to investigate and consequently were able to locate the relevant information.

30. We reviewed and implemented ESI protocols, IT discovery protocols, etc.

31. We provided information for the Rule 26 disclosures, including locating the employees who were likely to have knowledge on various subjects.

32. We reviewed and filled out plaintiff questionnaires.

33. I did the initial legwork to determine that we had standing to participate as a class representative and located the proper corporate paperwork for the complaint.

34. I reviewed preservation letters from the attorneys and transmitted such information to all of the participating facilities in order to ensure that all relevant records were preserved for this lawsuit. I also had in-person meetings and communications with employees for this purpose.

35. Norma is an established global market technology leader in engineered joining technology. It brings over 35,000 products to market and has approximately 10,000 commercial enterprise customers around the globe. In addition to being a globally recognized market leader, Norma is also a major utilizer of the Defendants' freight forwarding services. While Norma understands that it could have submitted a claim and recovered funds without participating as a

class representative, Norma felt strongly that the Class should have appropriate representation, and as a global entity with a good reputation and standing in the business community, Norma could and should do its part.

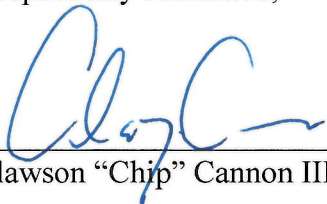
36. I believe that Norma's global reputation, and its ability to provide relevant requested information in this case, provided significant value to the Class.

37. In light of our extensive efforts which benefitted the Class, Norma Pennsylvania, Inc. respectfully suggests that an additional Incentive Award would be fair.

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

Dated: Aug 18, 2016

Respectfully submitted,



Clawson "Chip" Cannon III