

**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 BEN SPIELMAN IN SUPPORT OF CLASS COUNSEL'S MOTION
FOR APPROVAL OF SERVICE AWARDS TO CLASS REPRESENTATIVES**

I, Ben Spielman, being duly sworn, hereby declare as follows:

1. My name is Ben Spielman, and I reside in Delray Beach, Florida. I am the primary contact for Anything Goes LLC d/b/a Mail Boxes Etc, a former Class Representative in this matter, represented by Class Counsel.

2. I am submitting this Declaration in support of Class Counsel's Motion for Approval of Service Awards to Class Representatives. This declaration is based upon my personal knowledge and experience. If need be, I can competently testify to the facts set forth in this Declaration.

3. Anything Goes LLC d/b/a Mail Boxes Etc was founded in 1999. The business closed in 2009. Anything Goes engaged in packing and shipping services, and regularly purchased shipping services, an essential part of the business operations. As a small business, I strongly believe that the prices paid for inputs and services must be as competitive as possible.

4. My company and I first became involved in this case in or around late 2007. On January 3, 2008, through our legal counsel, Lovell Stewart Halebian Jacobson LLP, we filed the first class action lawsuit in this litigation against freight forwarders. We and other plaintiffs alleged a conspiracy among freight forwarding companies to fix, maintain and stabilize the price of Freight Forwarding Services, including several specific surcharges.

5. As part of my duties as a Class Representative I consulted with my attorneys and stayed abreast of the status of the litigation. These efforts included calls, e-mails and meetings with my counsel along with my review of numerous filings with the Court and reviewing thousands of shipping records.

6. In addition, I responded to Defendants' discovery requests by, among other things, discussing those requests with my counsel, searching through business records multiple times to locate documents responsive to Defendant's document requests. As a result of these efforts, we ultimately produced approximately 10,379 pages of documents in this litigation. To date I estimate that I have spent approximately 500-525 hours of my time in my role as Class Representative.

7. While I understand that many potential class members chose to remain anonymous and ride off of others efforts, I felt strongly that the Class should have appropriate representation and I should do my part. As such, I was one of three named Plaintiffs in the first filed complaint in this Action.

8. Before we agreed to proceed with this lawsuit, I also seriously considered the very real possibility that a freight forwarder who we sued might retaliate against us, explicitly or implicitly. As an ongoing small business which operates on narrow margins and tight time

constraints, having access to timely and reliable shipping is essential, and any slowdown or disruption in freight forwarding services would have been very detrimental.

9. At no time did Class Counsel or anyone ever promise me or my company any type of financial compensation for my work as a named class representative, or otherwise, beyond what I would receive as my share as a Class Member of any settlement or judgment achieved.

10. I have always understood that whether I received a service award, and its amount, would be decided by the Court in its discretion. No one promised me a service award of any amount.

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

Dated: August 10, 2016

Respectfully submitted,

/s/ 

Ben Spielman
Anything Goes LLC d/b/a Mail Boxes Etc.