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AGHCHAY and The Certified Class

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **FOR THE COUNTY OF LOS ANGELES**  
14 **CENTRAL CIVIL WEST**

16 CURT SCHLESINGER, PETER LO RE,  
17 JAMES ROTH, ADAM RUSSELL, MARYAM  
AGHCHAY, on behalf of themselves and The  
18 Certified Class,

19 Plaintiffs,

20 v.

21 TICKETMASTER, a Delaware Corporation,

22 Defendants.

CASE NO.: BC 304565

Assigned to: Judge Kenneth R. Freeman

**DECLARATION OF ADAM RUSSELL IN  
SUPPORT OF PLAINTIFFS' AND THE  
CLASS' MOTION FOR AN INCENTIVE  
AWARD TO THE CLASS  
REPRESENTATIVES**

**[Filed concurrently with Notice of Motion  
and Motion, Memorandum of Points and  
Authorities, Declarations of Robert J. Stein,  
III, Curt Schlesinger, Peter Lo Re and  
James Roth in support thereof]**

DATE: January 13, 2015

TIME: 10:00 a.m.

PLACE: Dept. 310

TRIAL DATE: Vacated

ACTION FILED: October 21, 2003

1 I, ADAM RUSSELL, declare and state:

2 1. I am over 18 years of age. All of the facts set forth in this declaration are based on  
3 my own personal knowledge, unless otherwise stated. All estimates of my time are based on my  
4 personal knowledge, memory and review of any pertinent material, as I did not keep time records for  
5 my involvement in the case. As such, if called as a witness, I could competently testify as to all of  
6 the facts set forth in this declaration, and would do so.

7 2. I currently reside in Newton, Massachusetts.

8 3. I make this declaration in support of the Plaintiffs' and the Class' Motion for an  
9 Incentive Award to the Class Representatives ("Motion").

10 4. My involvement in this case, other than as an absent class member, began in late  
11 2012 or early 2013, and I officially became a party-plaintiff, and class representative, with the filing  
12 of the Fourth Amended Complaint ("FAC") filed on May 30, 2014.

13 5. Prior to joining the case as a party-plaintiff and class representative, I understood and  
14 considered at length, the substantial time commitments and financial sacrifices that may be required  
15 of me especially if the case went to trial.

16 6. I knew that the two Plaintiffs who brought the case, Mr. Schlesinger and Mr. Lo Re,  
17 had spent considerable time and energy on the case, including, among other things, responding to  
18 substantial discovery requests, having their depositions taken, and preparing for trial on two separate  
19 occasions.

20 7. I also knew of the personal risks Mr. Schlesinger and Mr. Lo Re faced in the case  
21 when Ticketmaster served them with a settlement demand which, if Ticketmaster prevailed at trial,  
22 Ticketmaster would have attempted to use to recover significant costs against Mr. Schlesinger and  
23 Mr. Lo Re.

24 8. I also knew that Mr. Schlesinger and Mr. Lo Re lost business opportunities and  
25 income because of the demands on them as party-plaintiffs and class representatives. For example, I  
26 was aware that they had to take a week off to prepare for at least one of the trial dates, which was not  
27 rescheduled until it was too late for them to cancel their time-off requests or make other  
28 arrangements.

1           9.       I was advised that, as a party-plaintiff and class representative, I may be subject to the  
2 same time demands, financial burdens and personal risks that Mr. Schlesinger and Mr. Lo Re faced.  
3 I was also advised that, as a party-plaintiff and class representative, my name and some personal  
4 information regarding my location and purchases from Ticketmaster would be disseminated to some  
5 50 million class members in connection with any class notice.

6           10.       I currently work as a criminal defense attorney and run my own law firm, the Russell  
7 Defense Firm. If I were required to take days off for a deposition, trial preparation and trial, I would  
8 lose significant income. In addition, as I reside in Massachusetts, trial preparation and trial would  
9 require me to take off even more time to travel to Los Angeles, California, where the case is  
10 pending.

11           11.       Notwithstanding the potential risks, financial burdens, time demands, and notoriety, I  
12 joined the case as an additional class representative because I felt strongly that Ticketmaster  
13 committed wrongful acts which should be vindicated.

14           I declare under penalty of perjury under the laws of the State of California that the foregoing  
15 is true and correct.

16           Executed this 17th day of November, 2014 at Brighton, Massachusetts.

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