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8 *Attorneys for Plaintiffs/Class Representatives*

9 **IN THE UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF WASHINGTON**

11 RYAN DALEY, and individual, and)
ISAAK CURRY, an individual, each on)
12 behalf of himself and all others)
similarly situated,)

13 Plaintiffs,
14 vs.

15 GREYSTAR REAL ESTATE)
PARTNERS, LLC, a Delaware limited)
16 liability company; GREYSTAR)
MANAGEMENT SERVICES, L.P., a)
17 Delaware corporation; GREYSTAR RS)
WEST, LLC, a Delaware limited)
18 liability company,)

19 Defendants.)
20)
21)

Case No.: 2:18-CV-00381-SMJ

DECLARATION OF COUNSEL
SHAYNE J. SUTHERLAND IN
SUPPORT OF PLAINTIFFS'
MOTION FOR AWARD OF
ATTORNEYS' FEES, COSTS, AND
SERVICE AWARDS

1 The undersigned, under penalty of perjury of the laws of the United States,
2 28 U.S.C. § 1746, declares the following:

3 1. I am one of the attorneys of record for Plaintiffs Ryan Daley and Isaak
4 Curry, (“Plaintiffs”). I am of legal age, and I am competent to testify to and have
5 personal knowledge of the matters herein.

6 2. I graduated from Gonzaga University School of Law with honors in
7 2011.

8 3. I am a member in good standing admitted to practice by the bars of
9 Washington State and the United States District Court for the Eastern District of
10 Washington.

11 4. I am an owner and managing partner at the law firm of Cameron
12 Sutherland, PLLC, which has operated since 2012.

13 5. The majority of my practice involves representing lower-income and
14 economically distressed individuals. The majority of my fees are earned on a
15 contingency basis under fee-shifting statutory provisions.

16 6. My firm’s entire attorney fees in this matter were contingent upon the
17 outcome.

18 7. I am recognized authority in consumer protection and landlord-tenant
19 practice, and have presented at multiple educational seminars to community
20 organizations and attorneys concerning consumer and landlord tenant law.

21 DECLARATION OF COUNSEL SHAYNE J.
SUTHERLAND IN SUPPORT OF PLAINTIFFS’ MOTION
FOR AWARD OF ATTORNEYS’ FEES, COSTS, AND
SERVICE AWARDS - 2

1 8. I have been determined adequate class counsel in multiple class action
2 matters in the state and federal courts, including previously before this Court.

3 9. My firm has presented landlord tenant matters of first impression to
4 the Washington Court of Appeals on multiple occasions, in cases such as *Goodeill*
5 *v. Madison Real Est.*, 191 Wn. App. 88 (2015) and *Lewis v. Zanco*, 16 Wn. App.
6 2d 819 (2021).

7 10. My firm has been part of presenting multiple matters before the
8 Supreme Court of Washington, including the landlord tenant action *Silver v.*
9 *Rudeen Mgmt. Co., Inc.*, 197 Wn.2d 535, 538 (2021).

10 11. I am requesting an hourly rate of four hundred twenty-five (\$425.00)
11 per hour.

12 12. I have investigated and am familiar with the rates charged by
13 attorneys practicing in Spokane, Washington. I believe that a contingent rate of
14 \$425.00 per hour for a firm principal and attorney with my qualifications and
15 experience is well within the market rate for this area.

16 13. I have expended more than 106 hours on legal services directly related
17 to this case, including case analysis, research, briefing, and mediation. A true and
18 correct copy of my contemporaneous time records associated with these activities
19 is attached to the Declaration of Kirk D. Miller (ECF No. 137). I have removed at
20

1 least 10 hours of work from my request for work I felt took too long, and have not
2 included any time for legal assistants.

3 14. Based upon the total number 106 hours expended on legal services, at
4 my hourly rate of \$425.00 per hour, the total fees I incurred in representing the
5 Plaintiffs in this matter amounts to \$45,050.00.

6 15. I also anticipate spending an approximate 20-30 hours more in
7 assisting the class administration of this matter and preparing for Plaintiffs' Motion
8 for Final Approval in this matter.

9 16. I believe that a multiplier on my attorney fees based on the contingent
10 nature of my representation of this case, and the undesirability of these types of
11 claims. Not many attorneys would risk payment for representation based on a
12 contingency.

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14 SIGNED at Spokane, Washington this 27th day of August 2021.

15 s/ Shayne Sutherland
16 SHAYNE J. SUTHERLAND, WSBA #44593

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CM/ECF CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of August, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

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s/ Teri A. Bracken

Paralegal