

Rosemary M. Rivas (State Bar No. 209147)  
Email: rrivas@finkelsteinthompson.com  
**FINKELSTEIN THOMPSON LLP**  
100 Bush Street, Suite 1450  
San Francisco, California 94104  
Telephone: (415) 398-8700  
Facsimile: (415) 398-8704

Dan Drachler (*pro hac vice*)  
Email: ddrachler@zsz.com  
**ZWERLING, SCHACHTER & ZWERLING, LLP**  
1904 Third Avenue, Suite 1030  
Seattle, Washington 98101  
Telephone: (206) 223-2053  
Facsimile: (206) 343-9636

*Class Counsel and Counsel for Settling Class Plaintiffs*  
*Kari Brewer and Lorraine Rimson*

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

RYAN RODRIGUEZ, REENA B.  
FRAILICH, LOREDANA NESCI,  
JENNIFER BRAZEAL and LISA  
GINTZ, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

vs.

WEST PUBLISHING CORPORATION,  
Minnesota Corporation dba BAR/BRI  
and KAPLAN, Inc., a Delaware  
Corporation.

Defendants.

**AND CONSOLIDATED ACTION**

Case No. CV 05-3222 R(MCx)

**FINKELSTEIN THOMPSON LLP'S  
AND ZWERLING, SCHACHTER &  
ZWERLING, LLP'S NOTICE OF  
APPEAL**

Judge: Honorable Manuel L. Real

1           **NOTICE IS HEREBY GIVEN** that Finkelstein Thompson LLP (“FT”) and  
2           Zwerling, Schachter & Zwerling, LLP (“ZSZ”), hereby appeal to the United States  
3           Court of Appeals for the Ninth Circuit from *Order Granting Settling Class*  
4           *Plaintiffs’ Motion for Distribution of Net Settlement Fund Upon the Occurrence of*  
5           *the Effective Date and for Approval and Distributions of Attorneys’ Fees and*  
6           *Expenses*, (the “Order”) as it relates to the following portions of the Order:

7  
8           After reviewing the fees sought by the Finkelstein and Zwerling firms, the  
9           Court has reduced the lodestar by ten percent and eliminated the multiplier  
10          to account for excessive fees and noncompensable work, including work  
11          done to preserve the award of attorneys’ fees, work done in connection with  
12          the *Park* litigation, and other work performed that conferred no benefits on  
13          the Class. Thus, the Finkelstein firm is awarded \$1,597,560.84 in attorneys’  
14          fees and the Zwerling firm is awarded \$1,532,706.40 in attorneys’ fees,  
15          based upon a ten percent reduction of the requested lodestar.... (Footnote  
16          omitted).

17          A true and correct copy of the order appealed from is attached hereto as  
18          Exhibit A. Attached as Exhibits B and C are the Representation Statements of  
19          Finkelstein Thompson LLP and Zwerling, Schachter & Zwerling, LLP and  
20          attached as Exhibit D is a Service List as required by Ninth Circuit Local Rule 3-2.

21          Dated: March 1, 2010

**FINKELSTEIN THOMPSON LLP**

By: /s/ Rosemary M. Rivas  
Rosemary M. Rivas

100 Bush Street, Suite 1450  
San Francisco, California 94104  
Telephone: (415) 398-8700  
Facsimile: (415) 398-8704

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ZWERLING, SCHACHTER &  
ZWERLING, LLP**

By: /s/ Dan Drachler  
Dan Drachler

1904 Third Avenue, Suite 1030  
Seattle, Washington 98101  
Telephone: (206) 223-2053  
Facsimile: (206) 343-9636

*Class Counsel and Counsel for Settling  
Class Plaintiffs Kari Brewer and Lorraine  
Rimson*