

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
COUNTY OF KING

JOHN J. DIEL, JR. and REBECCA L. CLEVELAND,  
husband and wife, on behalf of themselves and  
all others similarly situated,

Plaintiffs,

v.

SALAL CREDIT UNION,

Defendant.

NO. 19-2-10266-7 KNT

**DECLARATION OF WALTER SMITH IN  
SUPPORT OF PLAINTIFFS' MOTION FOR  
FINAL APPROVAL OF CLASS ACTION  
SETTLEMENT AND AWARD OF  
ATTORNEYS' FEES, COSTS, AND SERVICE  
AWARD**

I, Walter Smith, hereby declare as follows:

1. I am a member of Smith & Dietrich Law Offices, PLLC and I am an attorney for Plaintiffs in this matter. I have personal knowledge of the facts set forth in this declaration, and if called upon to testify to the same, I could and would do so.

2. In 2017, Steve Dietrich and I founded Smith & Dietrich Law Offices, PLLC (or SDLO), a law firm in Olympia, Washington primarily focused on serving individual clients in consumer protection, warranty and real estate disputes. The firm's attorneys represent clients in both complex litigation and individual representation cases. Mr. Dietrich and I have represented consumer clients in disputes with a diverse range of defendants including automobile manufacturers and retailers, landlords, real estate professionals, companies

1 involved in telemarketing, and financial institutions. Since our firm opened in 2017, we have  
2 recovered hundreds of thousands of dollars in relief for consumer clients, and several class  
3 action complaints we have brought remain in active litigation.

4         3.         I graduated with honors from the University of Washington Law School in 2013.  
5 As a law student, I was awarded the American Bar Association’s Janet D. Steiger Fellowship  
6 which allowed me to work as a law clerk for the antitrust and consumer protection divisions of  
7 the Washington Attorney General’s Office. I also worked as a judicial extern for the Honorable  
8 Karen Overstreet in the U.S. Bankruptcy Court for the Western District of Washington. Since  
9 my Washington Bar admission in 2013, I served as an Assistant Attorney General first in the  
10 Washington Attorney General’s Office division handling civil Medicaid fraud enforcement  
11 matters, then in the campaign finance enforcement division of the Office. I am a current  
12 member of the National Association of Consumer Advocates, a voluntary association of  
13 consumer protection attorneys committed to representing clients in disputes with businesses.  
14 As part of my membership in NACA, I have sworn not to represent any party with interests  
15 adverse to consumers, such as banks, credit unions, or car dealerships.

16         4.         Mr. Dietrich graduated from the University of Washington Law School in 1992  
17 and was awarded the Order of the Coif. He was a member of the Washington Law Review  
18 where he authored a published student comment titled “The Uncertain Reach of Tribal  
19 Sovereign Immunity: A Statutory Solution” which has been cited in several scholarly legal  
20 publications. He was a law clerk for Judge Joseph Thibodeau in Snohomish County Superior  
21 Court, and practiced as an Assistant Attorney General for the Washington Attorney General’s  
22 Office representing a diverse range of state employees and agencies in litigation and  
23 transactional matters from 1993 to 2016.

24         5.         As of May 26, 2020, SDLO’s lodestar fees in this case total \$25,324. The  
25 following table identifies the attorneys from my firm who worked on this case and for whom  
26 the recovery of fees is sought. For each of the timekeepers below, I have stated the historic

1 hourly rate or rates applicable during the prosecution of this case, the number of hours  
 2 worked through May 26, 2020, and the total amount of fees. These time summaries are taken  
 3 from timekeeping records contemporaneously prepared and maintained by SDLO in the  
 4 regular course of business.

NAME AND POSITION	DESCRIPTION OF WORK PERFORMED	RATE	HOURS BILLED	TOTAL
<b>ATTORNEYS</b>				
<b>Walter Smith</b> Founding Member at Smith & Dietrich Law Offices PLLC	Counsel clients and investigate claims; draft complaint, interrogatories, and requests for production; work with co-counsel on day to day needs to advance case; analyze discovery production and prepare for and attend mediation; communicate with clients concerning settlement and review and edits to draft settlement agreement; prepare declarations for preliminary and final approval motions.	\$310	67.7	\$21,001.5
<b>Steve Dietrich</b> Founding Member at Smith & Dietrich Law Offices PLLC	Investigate clients claims; draft complaint; prepare for mediation; review draft briefing and offer input on same.	\$475	9.1	\$4,322.50
<b>TOTAL:</b>				<b>\$25,324.00</b>

6. SDLO has spent more than 76 hours litigating this matter. I was the attorney primarily responsible for reviewing the work of the SDLO timekeepers who worked on this matter. I supervised all work to avoid duplication of effort and to encourage efficiency. I also reviewed the firm’s billing records and reduced or eliminated time where appropriate.

7. SDLO sets its rates for attorneys based on a variety of factors, including among others: the experience, skill, and sophistication required for the types of legal services typically performed; the rates customarily charged in similar matters; and the experience, reputation, and ability of the attorneys.

