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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 EVERETT HOGGE and PRISCILLA) Case No.: C 07 2873 MJJ
12 HOGGE,)
13 Plaintiffs,) **DECLARATION OF DEAN A. HANLEY**
14 vs.) **IN SUPPORT OF PLAINTIFFS' MOTION**
15 A.W. CHESTERTON COMPANY, *et al*,) **FOR COSTS AND EXPENSES**
16 Defendants.) **INCURRED AS A RESULT OF**
17) **REMOVAL**
18) [28 U.S.C. § 1447(c); ND CA Local Rules 7-2 & 7-8]
19)
20) Hearing Date: July 24, 2007
21) Time: 9:30 a.m.
22) Courtroom: 11, 19th Floor
23) Judge: Hon. Martin J. Jenkins
24)
25)
26)
27)
28)

19 I, Dean A. Hanley, declare as follows:

20 1. I am an attorney admitted to practice law before the United States District Court for
21 the Northern District of California and all the courts of the State of California and am a partner in
22 the firm of Paul, Hanley & Harley, LLP, counsel of record for plaintiffs. The matters stated
23 herein are true to my own personal knowledge unless specifically stated otherwise. If called
24 upon as a witness, I could and would testify to the following facts.

25 2. I was admitted to practice law in 1993. My professional practice since that time
26 primarily has involved handling asbestos personal injury and wrongful death cases in California.
27 I have participated in asbestos litigation in many jurisdictions throughout California and the
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1 United States and have been either the primary attorney or supervising attorney in several
2 hundred asbestos cases litigated in California courts.

3 3. I am the partner primarily in charge of settlement negotiations for this law firm. I am
4 personally familiar with the facts and files pertaining to the state court action of *Everett Hogge*
5 *and Priscilla Hogge v. A.W. Chesterton Co., et. al.*, San Francisco Superior Court Case No.
6 452846, and was personally involved in each and every settlement, "agreement to agree" (as
7 explained in my declaration filed in support of plaintiffs' motion for remand, and dismissal that
8 has occurred to date in this action.

9 4. In addition to being personally familiar with the facts of this case and the settlement
10 posture of the various defendants, I am familiar, upon information and belief, with the
11 proceedings that occurred in the San Francisco Superior Court leading up to the trial of this
12 action and continuing through the present and with the proceedings that occurred in the United
13 States District Court following JOHN CRANE, INC.'s removal of this case to federal court on
14 the afternoon of Friday, June 1, 2007.

15 5. I spent approximately 1.5 hours on Friday, June 1, 2007, and 1 hour on Monday, June
16 4, 2007, reviewing the records and files pertaining to the state court action, discussing the legal
17 and factual aspects of the removal and remand motions with my colleagues, and reviewing and
18 executing the Declaration of Dean A. Hanley In Support of Plaintiffs' Motion for Remand and
19 exhibits attached thereto.

20 6. I spent approximately .5 hours in conference with Deborah Rosenthal and Philip
21 Harley regarding this motion for costs and in preparing this declaration.

22 7. My hourly rate is \$650 per hour.

23 I declare under the penalty of perjury under the laws of the State of California and of the
24 United States of America that the foregoing is true and correct. Executed on June 15, 2007, in
25 Berkeley, California.

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27 _____
28 Dean A. Hanley