

The Honorable Robert S. Lasnik

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

SEAN WILSON, individually and on behalf of  
all others similarly situated,

*Plaintiff,*

v.

PLAYTIKA LTD, an Israeli limited company,  
and CAESARS INTERACTIVE  
ENTERTAINMENT, LLC, a Delaware limited  
liability company,  
Defendants.

*Defendants.*

No. 18-cv-5277-RSL

**DECLARATION OF TODD LOGAN**

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1 Pursuant to 28 U.S.C. § 1746, I declare and state as follows:

2 1. I am an attorney at Edelson PC.

3 2. This declaration is based upon my personal knowledge unless otherwise  
4 indicated. If called upon to testify as to the matters stated herein, I could and would competently  
5 do so.

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9 3. In 2014, Edelson PC began investigating the social casino industry's business  
10 practices as potentially illegal under various state consumer and gambling laws.

11 4. The results of that investigation revealed, in Edelson PC's view, that social casino  
12 companies—who had by then largely been bought out by multinational gambling corporations—  
13 were violating a host of state consumer and gambling laws, including laws requiring the return of  
14 monies lost at illegal gambling.

15 5. Based on their investigation, in 2015 Edelson PC began filing lawsuits against  
16 social casino companies, in courts nationwide, alleging claims under state gambling laws.

17 6. To date, Edelson PC has filed twelve such class action lawsuits, yet—as of the  
18 date the settlement was announced in *Kater v. Churchill Downs*—not a single other law firm in  
19 the country had filed a similar case. In other words, Edelson PC has for the last five years been  
20 the only law firm in the country willing to fight for consumer victims of the social casino  
21 industry.

22 7. During that time, Edelson PC has devoted a substantial amount of its relatively  
23 limited time, energy, and resources toward the successful prosecution of lawsuits over social  
24 casino games.

25 8. Of the time, energy, and resources (the "Efforts") referenced above, only a  
26 relatively modest fraction is reflected within the motion practice and settlement documents in the  
27 above-captioned cases.

1           9.       Paragraphs 10-20 below describe some of the Efforts Edelson PC has expended,  
2 since 2015, that aided the prosecution and settlement in these cases but may not be completely (if  
3 at all) reflected on the Court’s docket.

4           10.      Two weeks after the Ninth Circuit’s mandate issued in *Kater*, Big Fish dispatched  
5 lawyers to the Washington State Gambling Commission’s (“WSGC” or “Commission”) session  
6 in Tacoma to present a “Petition for a Declaratory Order” asking the Commission to declare that  
7 Big Fish’s games “do[] not constitute gambling within the meaning of the Washington Gambling  
8 Act, RCW 9.46.0237.” At each of the three public hearings that followed—in July 2018 (in  
9 Tacoma), August 2018 (in Pasco), and October 2018 (in Olympia)—Edelson PC attorneys  
10 appeared before the Commission and presented live argument at both the Tacoma and Pasco  
11 hearings. Edelson PC supplemented these appearances with a formal letter to the Commission  
12 (ahead of the Tacoma hearing) and, on the Commission’s request, with an eighteen-page  
13 comment for the Commission’s consideration (between the Tacoma and Pasco hearings). The  
14 WSGC ultimately declined to enter a Declaratory Order.

15           11.      Even after the initial declaratory order proceedings, Edelson PC continued to  
16 represent the interests of the Class in additional flare-ups before the WSGC, including in similar  
17 declaratory order proceedings initiated by The Stars Group.

18           12.      Starting in early 2019, the International Social Gaming Association (“ISGA”)  
19 provided legislators draft legislation that would amend Washington’s gambling statutes with the  
20 effect (and specific intent) of gutting these lawsuits.

21           13.      In response, Edelson PC engaged the lobbying firm Peggen & Mara Political  
22 Consulting LLP—experts in Washington tribal and gambling laws—to help Edelson PC (i) stay  
23 on top of all administrative and legislative developments in the Washington gaming industry; (ii)  
24 understand the intricacies of Washington’s specific legislative process, including the nuances  
25 of—and procedures for—bill drafting; (iii) understand who the relevant lawmakers and  
26 stakeholders in Washington’s gaming industry were, what those lawmakers and stakeholders  
27 cared about, and how Edelson PC could educate those lawmakers and stakeholders about social

1 casinos; and (iv) work with legislative groups, task forces, and other interested parties in in  
2 Washington’s gaming industry, including the Washington Indian Gaming Association  
3 (“WIGA”).

4 14. Edelson PC then used this information and expertise to amplify the Class’s  
5 interests and concerns. Edelson PC drafted memos and prepared handouts for a variety of  
6 stakeholders, including State Senators and Representatives, the WIGA, the Washington Trial  
7 Attorneys’ Association, the Public Interest Research Group, and other organizations dedicated to  
8 remedying problem gambling.

9 15. Edelson PC attorneys also flew to Washington multiple times and personally met  
10 with lawmakers in the Washington Senate and House, met with officials in the Executive branch,  
11 and provided in-person testimony to the Washington Legislature.

12 16. For example, in January 2019—after Edelson PC got wind that Defendants and  
13 the ISGA were planning to gut Washington’s gambling statutes (in what would become the  
14 failed H.B. 2041 and S.B. 5886)—Edelson PC attorneys met in-person with Representative  
15 Shelley Kloba, then-Representative (and now Senator) Derek Stanford, Lieutenant Governor  
16 Cyrus Habib, and several other government officials.

17 17. On January 28, 2020, Edelson PC attorneys met with Senator Stanford at the State  
18 Capital—following Edelson PC’s written and in-person testimony before the House Civil Rights  
19 & Judiciary Committee in (successful) opposition to H.B. 2720.

20 18. On March 21, 2019, Class Counsel sent formal correspondence to Senator Mark  
21 Mullet ahead of a planned work session before the Senate and Financial Institutions, Economic  
22 and Trade Committee about the *Kater* matter—in which Defendants’ industry peers had been  
23 invited, but Class Counsel had not.

24 19. In August 2019, Edelson PC attorneys traveled to Anacortes—on Swinomish  
25 Tribe land—to speak at a monthly WIGA meeting, in opposition to the ISGA-backed bills.

1           20.     And in early 2020, Edelson PC coordinated the submission of more than 200  
2 letters to Washington State Representatives from social casino players across the country and  
3 spoke with local press about the ISGA’s renewed efforts to gut these lawsuits.

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7           21.     In this case, Edelson PC worked entirely on contingency, advancing its time as  
8 well as more than \$50,000 in required costs and expenses.

9           22.     To my knowledge, prior to the *Kater* case, no class action had ever before alleged  
10 claims for recovery under Washington’s Recover of Money Lost at Gambling Act (“RMLGA”).  
11 Certainly, no class action had ever before alleged claims under Washington’s RMLGA against  
12 social casino companies.

13           23.     Based on publicly available records, the market capitalization of Caesars Holding  
14 Corp. exceeds \$14 billion.

15           24.     Edelson PC staffed these cases leanly and worked efficiently.

16           25.     Briefs were not drafted by committee, but instead assigned to a single attorney  
17 who took charge of drafting the arguments, soliciting feedback, and revising accordingly.

18           26.     Edelson PC declined to conduct a parade of minimally-useful third-party  
19 depositions, instead focusing on the core formal and informal discovery that would advance the  
20 Class’ substantive claims.

21           27.     Edelson PC avoided unnecessary duplication of document review.

22           28.     Where appropriate, primary responsibility for tasks was assigned to more junior  
23 attorneys, with partners acting in a supervisory capacity.

24           29.     The majority of the briefing was drafted by associate-level attorneys, not senior  
25 partners.

26           30.     Almost all day-to-day communications with opposing counsel—including  
27 settlement communications—was led by an associate.

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3 31. In these cases, Edelson PC reasonably incurred at least \$56,835.50 in litigation  
4 expenses and costs. Class Counsel possess invoices, receipts, and/or other documentary evidence  
5 of all such expenses and stand ready to submit them for the Court's review, preferably *in*  
6 *camera*, should the Court choose to review them.

7 32. The largest category of expense advanced by Edelson PC was advertising costs, in  
8 the amount of \$36,683.99. That amount reflects monies paid primarily to Facebook costs from  
9 Class Counsel's internet advertising expenses related to identifying and engaging with Class  
10 Members.

11 33. Edelson PC also paid Phillips ADR \$17,500 as its portion of the mediation fee for  
12 the successful mediation before the Hon. Layn R. Phillips (Ret.).

13 34. The remaining \$2,651.51 in expenses Edelson PC incurred are the sorts of routine  
14 litigation expenses incurred over five years of litigating a complex class action lawsuit, including  
15 court filing fees, work-related transportation, lodging, and meal costs, and postage fees.

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17 I declare under penalty of perjury that the above and foregoing is true and correct.

18  
19 Executed on this 14th day of December, 2020 at Honolulu, Hawaii.

20 /s/ Todd Logan