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*Class Counsel*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**IN RE NVIDIA GTX 970 GRAPHICS CHIP  
LITIGATION**

**THIS DOCUMENT RELATES TO:  
ALL ACTIONS**

**CASE NO.: 15-cv-00760-PJH**

**DECLARATION OF DAVID  
DROPSKI IN SUPPORT OF  
PLAINTIFFS' MOTION FOR AN  
AWARD OF ATTORNEYS' FEES,  
COSTS AND EXPENSES, AND  
INCENTIVE AWARDS FOR THE  
CLASS REPRESENTATIVES**

Date: December 7, 2016  
Time: 9:00 a.m.  
Courtroom 3 – 3rd Floor

Judge: Honorable Phyllis J. Hamilton

**DECLARATION OF DAVID DROPSKI**

I, David Dropski, declare as follows:

1. I am a citizen of Illinois. I am a Class Representative in the lawsuit entitled *In re NVIDIA GTX 970 Graphics Chip Litigation*, Case No. 15-cv-00760, filed in the U.S. District Court for the Northern District of California. I make this Declaration in support of Plaintiffs’ motion for the Court to award attorneys’ fees, costs, and expenses to Class Counsel, and award incentive awards to the Class Representatives. The statements made in this Declaration are based on my personal knowledge and, if called as a witness, I could and would testify thereto.

2. On or about November 11, 2014, I purchased three ASUS GTX 970 graphics cards. At the time of my purchase, I was not aware that the following representations were false and misleading: (i) that the GTX 970 purportedly operates with a full 4 GB of video RAM, (ii) that the GTX 970 purportedly has 64 render output processors, and (iii) that the GTX 970 purportedly has an L2 cache capacity of 2 MB. Had I known that these representations were false and misleading, I would not have paid for the GTX 970 at the price I did.

3. I assisted with my lawyers’ investigation by describing the events surrounding my purchase of the GTX 970. Specifically, I described where I purchased my GTX 970, when I purchased it, why I purchased it, how I purchased it (e.g., online versus retail, cash versus credit) and what representations I reviewed and relied upon when making my purchase. I also provided my attorneys with relevant documentation for their review.

4. I also discussed my use of the GTX 970 with my attorneys. Specifically, I described my personal experiences with my GTX 970, such as how it performed at various games and computing tasks. I also described any issues that I had encountered with my GTX 970.

5. Based on these discussions, my attorneys prepared a Class Action Complaint. I carefully reviewed the Complaint for accuracy and approved it before it was filed.

6. During the course of this litigation, I kept in regular contact with my lawyers. Specifically, I conferred with them regularly by phone and e-mail to discuss the status of the case. We also discussed case strategy, motions that were currently pending, and the prospects of

1 settlement. Furthermore, when appropriate, I informed my attorneys of additional facts for their  
2 research and consideration.

3 7. My lawyers have kept me informed in regards to their efforts to resolve this matter.  
4 I discussed the Settlement Agreement with them and gave my approval prior to signing it.

5 8. Had this case not settled, I was willing and prepared to take part in discovery. I  
6 informed my lawyers that I was available to produce documents and take part in a deposition. I  
7 was also prepared to testify at trial, if necessary.

8 9. Based on the interactions and my relationship with my attorneys, I believe they have  
9 fairly and adequately represented me and the Class and will continue to do so.

10 10. Throughout this litigation, I understood that, as a Class Representative, I have an  
11 obligation to protect the interests of other Class Members and not act just for my own personal  
12 benefit. I do not believe that I have any conflicts with other Class Members. I have done my best  
13 to protect the interests of other Class Members and will continue to fairly and adequately represent  
14 the Class to the best of my ability.

15 11. I estimate that I spent a total of 20 hours working with my lawyers on this case.

16 The above statements are of my own personal knowledge, and I make such statements  
17 under penalty of perjury under the laws of California and the United States of America. Executed  
18 on this 21st day of October, 2016.

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20 \_\_\_\_\_  
21 David Dropski