

Exhibit 5

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

	x
	: Case No. 2:13-cv-00433-LDG (CWH)
	: Base File
In re: SPECTRUM PHARMACEUTICALS,	:
INC., SECURITIES LITIGATION	: CLASS ACTION
	:
	:
	x

**DECLARATION OF DAVID C. O'MARA ON BEHALF OF
THE O'MARA LAW FIRM IN SUPPORT OF
LEAD COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES
AND PAYMENT OF EXPENSES**

David O'Mara, Esq., declares as follows pursuant to 28 U.S.C. § 1746:

1. I am a member of The O'Mara Law Firm. I submit this declaration in support of Lead Counsel's motion for an award of attorneys' fees and payment of litigation expenses on behalf of all plaintiffs' counsel who contributed to the prosecution and resolution of the claims in the above-captioned action (the "Action") from inception through May 4, 2016 (the "Time Period").
2. My firm served as Local Counsel in the Action and consulted closely with Lead Counsel in connection with all filings and appearances before the Court during the pendency of the Action, as set forth in detail in the Declaration of Jonathan Gardner in Support of Lead Plaintiff's Motion for Final Approval of Proposed Class Action Settlement and an Award of Attorneys' Fees and Expenses, filed herewith. The firm also consulted closely with Lead Counsel in preparation for the mediation that was conducted in this case.
3. The following summary indicates the amount of time spent by each attorney and professional support staff of my firm who was involved in the prosecution of the Action, and the

lodestar calculation based on my firm's current billing rates. For personnel who are no longer employed by my firm, the lodestar calculation is based upon the billing rates for such personnel in his or her final year of employment by my firm. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm, which are available at the request of the Court. Time expended in preparing this application for fees and payment of expenses has not been included in this request.

The hourly rates for the attorneys and professional support staff in my firm included in the summary are the same as my firm's regular rates charged for their services, which have been accepted in other securities or shareholder litigations. The total number of hours expended on this litigation by my firm during the Time Period is 128.7 hours. The total lodestar for my firm for those hours is \$42,212.50.

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
David C. O'Mara	(P)	103.5	\$375.00	\$38,812.50
William M. O'Mara	(P)	1.6	\$450.00	\$720.00
Bryan Snyder	(LA)	3.2	\$100.00	\$320.00
Valerie Weis	(LA)	23.6	\$100.00	\$2360.00
<i>TOTAL:</i>		<i>128.7</i>		<i>\$42,212.50</i>

(P) Partner

(LA) Legal Assistant

4. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expenses items. Expense items are billed separately and such charges are not duplicated in my firm's billing rates.

5. As detailed below, my firm has incurred a total of \$2004.22 in expenses in connection with the prosecution and settlement of the Action. The expenses are reflected on the

books and records of my firm. These books and records are prepared from expense vouchers, check records and other source materials and are an accurate record of the expenses incurred.

EXPENSE	TOTAL AMOUNT
Duplicating	\$420.85
Postage	\$19.16
Filing Fees	\$1,300.00
Overnight Delivery Services	\$24.00
Transportation/Meals/Lodging	\$240.21
TOTAL	2,004.22

6. With respect to the standing of my firm, attached hereto as Exhibit A is a brief biography of my firm.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 4, 2016

Dated: May 4, 2016



DAVID C. O'MARA, ESQ.

EXHIBIT A



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FIRM RESUME

For over a decade, David C. O'Mara has built and maintained an outstanding reputation within the State of Nevada by providing superior legal services to his many clients.

The O'Mara Law Firm is a full-service law firm located in Reno, Nevada, serving a wide range of clients throughout Nevada and California in both state and federal courts. With experience in areas such as complex commercial and civil litigation, bankruptcy, personal injury, criminal law, business law, securities and investment disputes, family law, real estate law, election law and government relations and alternative dispute resolution, such as mediation and arbitration, the firm's attorneys have the experience, knowledge, and integrity to represent their clients in an aggressive, compassionate and ethical manner.

Class Action and Shareholder Litigation

The O'Mara Law Firm has served as lead, local or liaison counsel in several class actions and shareholder actions. These cases include:

- *Lauren v. The Sands Regent, et al.*, CV06-01275 (2nd Judicial Dist., Nevada)
- *Thompson v. Direct General Corp.*, 07-C-0026 (12th Judicial Dist., Tennessee)(Lead Counsel)
- *Saullo v. Benson, et al.*, A525433 (8th Judicial Dist., Nevada)
- *West Palm Beach Firefighter's Pension Fund v. Station Casinos, Inc.*, A536211 (8th Judicial Dist., Nevada)
- *Hendrickson v. Gunnerman*, CV07-00187 (2nd Judicial Dist., Nevada)
- *Pirelli Armstrong Tire Corp. Retiree Medical Benefits Trust v. Yoseloff, et al.* (ShuffleMaster), 2:07-cv-01215
- *In Re MGM Mirage, Deriv. Litig.* 2:09-cv-01815 (D. Nev)(Co-Lead Counsel)
- *Opton v. Financial Federal Corp.*, 09-OC-00542 (1st Jud. Dist. Ct.)
- *Kolesnik v. Arena Resources*, CV10-01132 (2nd Judicial Dist. Ct.)
- *International Brotherhood of Electrical Workers Local 697 Pension Fund v. International Game Technology, et al.*, 3:09-cv-00419 (D. Nev.) (obtained a 12.5 Million Dollar recovery for the shareholders)
- *In Re China Green Agriculture, Inc., Derivative Shareholder Litigation*, 10-OC-00563 (1st Judicial District, Nevada)
- *Forsbe v. Las Vegas Sands Corp., et al.* 2:10-cv-00765 (D. Nev.)
- *Howell v. JBI, Inc., et al.*, 3:11-cv-00545 (D.Nev.)
- *In Re Wonder Auto Technology, Inc., Derivative Shareholder Litigation*, 11-OC-00193 (1st Judicial District Ct. Nevada)



- *Loab v. Jiangping Jiang* (Universal Travel) 11-OC-1691 (1st Judicial District Ct. Nevada)
- *Stauffer v. Lee, et. al.* (L&L Energy), 11-OC-00353 (1st Judicial District Ct. Nevada)
- *In Re Assisted Living Concepts, Inc., Shareholder Litigation*, A-12-6754054 (8th Judicial Dist. Ct. Nevada)
- *In Re Zappos Security Breach Litigation*, (MDL 2357) 3:12-cv-00325 (D.Nev.)
- *IBEW Local 98 Pension Fund v. Chen, et. al.* (Wynn Resorts) A-12-661217 (8th Jud. Dist. Ct. Nevada)
- *In Re Parametric Sound Corporation Shareholder Litigation*, A-13-686890 (8th Judicial Dist. Ct. Nevada)
- *Small, et. al. v. University Medical Center of Southern Nevada*, 2:13-cv-00298 (D.Nev)
- *In Re Spectrum Pharmaceuticals Inc., Securities Litigation*, 2:13-cv-00433 (D.Nev.)(obtained a 7 Million recovery for the shareholders (pending)).
- *In Re International Game Technology Shareholder's Litigation*, A-14-704058 (8th Judicial Dist. Ct. Nevada).
- *Schmidt v. Liberator Medical Holdings, Inc.*, A-15-728234-B (8th Judicial Dist. Ct. Nevada)
- *In Re Newport Corporation Shareholder Litigation*, A-16-733154-B (8th Judicial District Ct. Nevada)

FIRM ATTORNEYS

David C. O'Mara

A native of Reno, Nevada, David C. O'Mara received his bachelor's degree in Political Science from the University of Nevada, Reno. Following his graduation from the University of Nevada, Reno, David's worked as an aide to Congressman James Gibbons (R-NV) in Washington D.C., where he served as a legislative correspondent handling various issues including, natural resources, taxes and the Congressional Mining Caucus.

David earned his Jurist Doctor degree, along with a Government Affairs Certificate, from the University of the Pacific, McGeorge School of Law. David was active in the Government Affairs Association, where he assisted in the drafting of the California Victim's Compensation Act (SB1423) and the Nevada Student Association.

Following law school, Mr. O'Mara served as a law clerk to the Honorable Steven Kosach of the Second Judicial District Court for the State of Nevada. Thereafter, David served as legal counsel/election day coordinator for the Nevada Republican Party during the 2004 Presidential Election, where he sought to ensure fair and open elections.

Prior to joining the O'Mara Law Firm, David served as a law clerk with the United States Court of Federal Claims - an Article I Court with jurisdiction over various claims against the United States government, including contracts, Fifth Amendment takings claims, and tax refunds. At the Federal Court of Claims, David worked with a panel of senior judges: the Honorable Loren Smith, the Honorable James Merow, the Honorable Robert Yock, the Honorable Bohden Futey, the Honorable John Wiese, and the Honorable Chief Judge Edward Damich.



As a shareholder with The O'Mara Law Firm, David practices primarily in and has experience with complex civil litigation, shareholder litigation, election law, family law, and criminal defense and personal injury. David has been admitted to the State Bar of Nevada, and is licensed to practice in all Nevada courts. David is also licensed to practice in the United States Court of Federal Claims. David holds memberships in the Nevada State Bar Association, the Washoe County Bar Association and the United States Court of Federal Claims Bar Association.

Selection of Supreme Court Decisions:

- *Bero-Wachs v. The Law Office of Logar and Pulver*, ___ Nev. ___, 157 P.3d 704, (Nev. 2007). (Attorney's lien could not attach to any exempt property that were exempt from execution under the exemption statute.)
- *In re Terry L.*, 2010 WL 3276160 (2010). David C. O'Mara was appointed to represent Terry L., a minor child, after the State charged him with battery with a deadly weapon and sought certification of the juvenile as an adult. After successfully defending Terry in the district court, the Nevada Supreme Court affirmed the district court's denial of the State's motion for certification.
- *Nevada Democratic Party v. Nevada Republican Party*, 256 P.3d 1 (2011). This was an appeal from a district court order granting a permanent injunction in a special election matter. David represented the Nevada Republican Party at the trial and appellate level which resulted in the Nevada Supreme Court affirming the district court's order allowing a major political party to nominate their candidate in a special election to fill the vacancy in a seat for the United States House of Representatives. Political pundits throughout the state believe that the result of this litigation secured the seat would remain a republican stronghold.
- *State v. First Jud. Dist. Ct. (Pierson)*, 2011 WL 3655154 (2011). In 2007, the Storey County DA filed a criminal complaint charge the firm's client with battery and sexual assault. The firm was able to obtain an order from the district court directing the State to obtain a victim's prior medical records and precluding the State's expert from testifying at trial. The State petition the Nevada Supreme Court for a writ of mandamus or prohibition challenging the district court's order. David O'Mara successfully represented Mr. Pierson at the trial and appellate level. The Nevada Supreme Court denied the State writ petition and the criminal complaint was later dismissed
- *Sandpointe Apts. V. Eighth Jud. Dist. Ct.*, 313 P.3d 849 (2013). David filed an Amicus Curiae on behalf of the Nevada Banker's Association, which later resulted in a favorable decision for the Association's members.