

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD DENNIS, SONTERRA CAPITAL MASTER FUND, LTD., FRONTPOINT FINANCIAL SERVICES FUND, L.P., FRONTPOINT ASIAN EVENT DRIVEN FUND, L.P., FRONTPOINT FINANCIAL HORIZONS FUND, L.P., AND ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM, on behalf of themselves and all others similarly situated,

Docket No. 16-cv-06496 (LAK)

Plaintiffs,

-against-

JPMORGAN CHASE & CO., JPMORGAN CHASE BANK, N.A., BNP PARIBAS, S.A., THE ROYAL BANK OF SCOTLAND GROUP PLC, THE ROYAL BANK OF SCOTLAND PLC, RBS N.V., RBS GROUP (AUSTRALIA) PTY LIMITED, UBS AG, AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD., COMMONWEALTH BANK OF AUSTRALIA, NATIONAL AUSTRALIA BANK LIMITED, WESTPAC BANKING CORPORATION, DEUTSCHE BANK AG, HSBC HOLDINGS PLC, HSBC BANK AUSTRALIA LIMITED, LLOYDS BANKING GROUP PLC, LLOYDS BANK PLC, MACQUARIE GROUP LTD., MACQUARIE BANK LTD., ROYAL BANK OF CANADA, RBC CAPITAL MARKETS LLC, MORGAN STANLEY, MORGAN STANLEY AUSTRALIA LIMITED, CREDIT SUISSE GROUP AG, CREDIT SUISSE AG, ICAP PLC, ICAP AUSTRALIA PTY LTD., TULLETT PREBON PLC, TULLETT PREBON (AUSTRALIA) PTY LTD., AND JOHN DOES NOS. 1-50.

Defendants.

[PROPOSED] ORDER GRANTING CLASS COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES

WHEREAS, this matter came for a duly-noticed fairness hearing on November 1, 2022 (“Fairness Hearing”) upon Class Counsel’s Motion for An Award of Attorneys’ Fees and Reimbursement of Expenses (“Fee and Expense Application”) in the above captioned action;

WHEREAS, the Court has considered the Fee and Expense Application and all supporting and related materials in support thereof, including matters presented at the Fairness Hearing;

WHEREAS, due and adequate notice of the eight Settlements¹ having been given to Class Members;

WHEREAS, the Fairness Hearing having been held, and the Court having considered the papers and proceedings herein and otherwise being fully informed in the premises and good cause therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Court has subject matter jurisdiction over the Action to approve the Settlements.
2. Notice of the Fee and Expense Application was provided to the Class in a reasonable matter, and such notice complies with Rules 23(c)(2)(B) and 23(h)(1) of the Federal Rules of Civil Procedure and due process requirements.
3. Counsel is hereby awarded attorneys’ fees in the amount of \$ _____, which shall be paid out of the Settlement Funds.
4. In making this award of attorneys’ fees, the Court has considered and found that the award is fair, reasonable and adequate for at least the following reasons: (a) the award is

¹ All capitalized terms not otherwise defined herein shall have the same meaning as such terms are used in the Fee and Expense Application submitted on August 18, 2022 or the Settlement Agreements.

supported by the lodestar value of Counsel's time spent prosecuting this Action on behalf of the Class; (b) the lodestar multiplier is reasonable given the risks of the case, the other *Goldberger* factors and is consistent with multipliers awarded in similar complex class actions; (c) the award represents a reasonable percentage of the Settlement Funds in similar complex class actions; and (d) the award is consistent with the fee agreement Class Counsel negotiated at arm's-length with Plaintiff Orange County Employees Retirement System ("OCERS") before OCERS joined the action.

5. Pursuant to the terms of the Settlements, this fee award is independent of the Court's consideration of the fairness, reasonableness and adequacy of the Settlements and the Court's consideration of the proposed Plan of Distribution.

6. Class Counsel is authorized to allocate the attorneys' fees among Counsel in a manner in which, in Class Counsel's judgment, reflects the contributions of Counsel to the prosecution of the Action.

7. Counsel's request for reimbursement of litigation expenses in the amount of \$_____ is hereby granted and shall be paid from the Settlement Funds. The Court finds that the requested expenses were incidental and necessary to the representation of the Class.

IT IS SO ORDERED.

This ____ day of November, 2022

Honorable Lewis A. Kaplan
United States District Judge