

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISIONROBERT BERRY, INDIVIDUALLY
AND ON BEHALF OF ALL OTHERS
SIMILARILY SITUATED,

Plaintiff, § Civil Action No. 3:17-cv-00304-JFA

VS.

WELLS FARGO & COMPANY, WELLS
FARGO CLEARING SERVICES, LLC,
and WELLS FARGO ADVISORS
FINANCIAL NETWORK, LLC, and
DOES 1 thru 50,

Defendants. §

**CLASS COUNSEL'S MOTION FOR AN AWARD OF
ATTORNEYS' FEES, COSTS, AND EXPENSES, AND CASE
CONTRIBUTION AWARD TO CLASS REPRESENTATIVE**

Motley Rice LLC, Ajamie LLP, and Izard, Kindall & Raabe, LLP ("Class Counsel") and Class Representative Robert Berry ("Class Representative") will move this Court on June 15, 2020, at 10:00 a.m., before the Honorable Joseph F. Anderson, Jr. for an entry of an order, under Rules 23(h) and 54(d)(2) of the Federal Rules of Civil Procedure: (1) awarding attorneys' fees to Class Counsel equal to twenty-five percent (25%) of the Settlement Amount; (2) reimbursing Class Counsel's litigation expenses of \$390,053 incurred in prosecuting this Litigation; and (3) awarding Class Representative a Case Contribution Award in the amount of \$10,000 for his time and service representing the Settlement Class in this Action.

This motion is based on:

- (1) the Memorandum of Law in Support of Plaintiff's Counsel's Motion for an Award of Attorneys' Fees, Costs, and Expenses, and Case Contribution Award to Class Representative;

- (2) the Joint Declaration of Mathew P. Jasinski, John S. Edwards, Jr., and Douglas P. Needham in Support of Plaintiff's Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation and Class Counsel's Motion for an Award of Attorneys' Fees, Costs, and Expenses, and Incentive Award To Plaintiff;
- (3) the Declaration of William S. Norton Filed on Behalf of Motley Rice LLC in Support of Application for Award of Attorneys' Fees and Expenses;
- (4) the Declaration of Thomas R. Ajamie Filed on Behalf of Ajamie LLP in Support of Application for Award of Attorneys' Fees and Expenses;
- (5) the Declaration of Douglas P. Needham in Support of Plaintiff's Motion for Award of Attorneys' Fees and Expenses;
- (6) the Declaration of Robert Berry in Support of (1) Plaintiff's Motion for Final Approval of Class Action Settlement; and (2) Class Counsel's Motion for Attorneys' Fees, Costs, and Expenses, and Case Contribution Award to Class Representative;
- (7) the Declaration of Abigail Schwartz for Rust Consulting, Inc.;
- (8) the Class Action Settlement Agreement; and
- (9) all other proceedings herein.

The relief sought herein is included in the [Proposed] Final Approval Order and Judgment attached to Plaintiff's Motion for Final Approval of Class Action Settlement.

CERTIFICATION PURSUANT TO LOCAL RULE 7.02

Pursuant to Local Rule 7.02, Class Counsel certify that, prior to filing the foregoing motion, they conferred with Defendants' counsel. Defendants consent to the relief sought in the motion. The attached memorandum of law, however, has been prepared solely by Class Counsel.

DATED: May 1, 2020

Respectfully submitted,

By: /s/ William S. Norton
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 1, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. I understand that notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ William S. Norton _____
William S. Norton