

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

**Jerry Williams and Larry Whitehead, )  
Individually and on Behalf of All Others )  
Similarly Situated; and Stewart F. Cooke, III, )  
as Special Representative of the Estate of )  
Stewart Cooke, )**

**Plaintiffs, )**

**v. )**

**Retirement Plan for Chicago )  
Transit Authority Employees; )  
Board of Trustees of the )  
Retirement Plan for Chicago )  
Transit Authority Employees; )  
Retiree Health Care Trust; and )  
Board of Trustees of the )  
Retiree Health Care Trust, )**

**Defendants. )**

**Case No. 11-CH-15446  
Calendar 9**

**Hon. Cecilia A. Horan**

**CLASS COUNSEL’S APPLICATION FOR AWARD OF ATTORNEYS’  
FEES AND COSTS AND CLASS REPRESENTATIVE SERVICE AWARDS**

Robinson Curley P.C. (“RC” or “Class Counsel”), for itself and on behalf of (1) Dowd, Bloch, Bennett, Cervone, Auerbach & Yokich LLP (“Dowd”), (2) Klausner, Kaufman, Jensen & Levinson (“Klausner”), and (3) attorney Mark W. Solock (“Solock”) (RC, Dowd, Klausner, and Solock are collectively referred to as “Counsel”), respectfully petitions the Court for an order that: (i) awards attorneys’ fees to Counsel in the amount of 33½ percent of the Settlement Fund, which is \$26,666,667, plus interest on that amount accrued since creation of the Escrow as provided in the Class Action Settlement Agreement (“Agreement”); (ii) reimburses the costs advanced by Counsel in prosecuting this case, totaling \$485,682.42; and (iii) approves Class Representative Service Awards for Jerry Williams, Larry Whitehead, and the late Stewart Cooke, for a combined total of \$75,000.

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For all of the reasons set forth in the Memorandum in Support of Class Counsel's Application for Award of Attorneys' Fees and Costs and Class Representative Service Awards (the "Fee Application Memorandum"), the requested attorneys' fee award is fair compensation for the extraordinary efforts that resulted in the Agreement, in light of the significant risk of nonpayment in bringing this difficult and hotly contested case on a contingent basis and diligently prosecuting it over the course of fifteen years. The percentage amount is well within the range of fees that courts in Cook County and other Illinois and federal courts have awarded in comparably complex cases, including those involving the recovery of retirement benefits.

Similarly, for the reasons set forth in the Fee Application Memorandum, the costs for which reimbursement is sought were reasonable and necessary for the successful prosecution of the case, and their recovery should be awarded. Finally, the Class Representative Service Awards are fair compensation for the Class Representatives' efforts assisting in the investigation and prosecution of the case, and are consistent with service awards in other class action litigation. Notice of the requested attorneys' fees, costs, and Class Representative Service Awards was provided to the Class pursuant to the Court's Preliminary Approval Order, and as of the time of this filing, no Class Member has objected to any of these requests.

In support of this Application, Plaintiffs respectfully submit the Fee Application Memorandum and the Exhibits thereto, including the Declaration of C. Philip Curley ("Curley Decl."), the Declaration of Scott M. Fenwick ("Kroll Dec."), and the Declaration of Jerry Williams ("Williams Dec."), all of which are expressly incorporated in this Application.

WHEREFORE, Class Counsel respectfully requests that the Court grant this Application and (i) award attorneys' fees to Counsel in the amount of 33 $\frac{1}{3}$  percent of the Settlement Fund, or \$26,666,667, plus interest accrued since creation of the Escrow; (ii) award Counsel their

reasonable litigation costs advanced in the total amount of \$485,682.42; and (iii) approve Service Awards of a combined total of \$75,000 to Jerry Williams, Larry Whitehead, and Stewart Cooke. A draft order will be provided with Class Counsel's reply brief, due October 9, 2023.

Date: September 11, 2023

Respectfully submitted,

**Robinson Curley P.C., Class Counsel**

By: /s/ C. Philip Curley

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on September 11, 2023, I caused copies of the attached **Class Counsel’s Application for Award of Attorneys’ Fees and Costs and Class Representative Service Awards** to be served by e-mail on the following:

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