

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

STEPHEN PHILLIPS, MARY  
TOURVILLE-PHILLIPS, SANDI  
BARNETT, GREGORY BENJAMIN,  
TYRUS DAVIS, and CHRISTOPHER  
BINGHAM, on behalf of themselves and  
all others similarly situated,

Plaintiffs,

v.

CALIBER HOME LOANS, INC.

Defendant.

Case No.: 19-cv-02711-WMW-LIB

**PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES,  
LITIGATION COSTS, AND SERVICE AWARDS**

In accord with the Settlement Agreement and Release (ECF No. 82-1) (the "Settlement Agreement") and this Court's Preliminary Approval Order (ECF No. 87) (the "Preliminary Approval Order"), Plaintiffs Stephen Phillips, Mary Tourville-Phillips, Sandi Barnett, Gregory Benjamin, Tyrus Davis and Christopher Bingham ("Plaintiffs" or "Settlement Class Representatives") and Plaintiffs' Counsel respectfully move this Court for an award of attorneys' fees of one-third of the Gross Settlement Fund created by the settlement of the above-captioned action (the "Settlement"), or \$1,666,500; reimbursement of litigation expenses in the amount of \$10,410.66; and service awards in the amount of \$5,000 to each of the Settlement Class Representatives.

In the Court's Preliminary Approval Order, this Court preliminarily approved the proposed Settlement, conditionally certified the Settlement Class, and directed that the notice be sent to Settlement Class Members informing them of the terms of the Settlement and their rights with respect thereto. As set forth in the Declaration of James Prutsman Regarding Notice Procedures, which is being filed concurrently herewith, the notice program approved by the Court has been completed, which included notice to Settlement Class members that Plaintiffs' Counsel would be seeking an award of attorneys' fees of one-third of the Settlement, reimbursement of litigation expenses, as well as service awards to the Settlement Class Representatives of \$5,000 each.

For the reasons set forth herein and in the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Award of Attorney's Fees, Litigation Costs, and Service Awards, Declaration of James Prutsman, Declaration of James L. Kauffman, Declaration of Randall K. Pulliam, and Declaration of Hassan A. Zavareei, Plaintiffs and Plaintiffs' Counsel respectfully request that this Court award attorneys' fees of \$1,666,500, or one-third of the Gross Settlement Fund; reimbursement of litigation expenses in the amount of \$10,410.66; and service awards in the amount of \$5,000 to each of the Settlement Class Representatives.

Dated: October 11, 2021

Respectfully submitted,

/s/ Randall K. Pulliam

Randall K. Pulliam

Hank Bates

E. Lee Lowther III

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*Counsel for Plaintiffs and the Settlement Class*