IN THE UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

GRACE MURRAY, AMANDA ENGEN,	:	
STEPHEN BAUER, JEANNE TIPPETT,	:	
ROBIN TUBESING, NIKOLE SIMECEK,	:	
MICHELLE MCOSKER, JACQUELINE	:	
GROFF, and HEATHER HALL, on behalf of	:	
themselves and others similarly situated,	:	Case No. 1:19-cv-12608-WGY
	:	
Plaintiffs,	:	
	:	
V.	:	

GROCERY DELIVERY E-SERVICES USA INC. DBA HELLO FRESH

Defendant.

DECLARATION OF STACEY P. SLAUGHTER IN SUPPORT OF PLAINTIFFS' MOTION FOR A SERVICE AWARD FOR CLASS REPRESENTATIVES AND FOR AN AWARD OF ATTORNEYS' FEES AND EXPENSES

I, Stacey P. Slaughter, submit this declaration as follows:

1. I am an attorney in good standing in the State of Minnesota and the State of New York.

2. I am a partner at the law firm of Robins Kaplan LLP, in the Minneapolis,

Minnesota office. I serve on the firm's Executive Board and as Deputy Office Manager for the business litigation group.

3. I am co-counsel of record for Plaintiffs Grace Murray, Amanda Engen, Stephen Bauer, Jeanne Tippett, Robin Tubesing, Nikole Simecek, Michelle McOsker, Jacqueline Groff, and Heather Hall in this action.

4. I submit this declaration in support of Plaintiffs' Motion for a Service Award for Class Representatives and for an Award of Attorneys' Fees and Costs.

5. I have personal knowledge of the matters stated herein, and if called as a witness, I could competently testify thereto.

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6. Robins Kaplan LLP is a nationally-recognized trial, appellate and litigation law firm, with offices throughout the United States, including offices in this District. The firm's Commercial Litigation and other practice areas have been recognized by a wide range of organizations and publications, including Chambers USA. Best Lawyers, which has repeatedly placed the firm among leaders in several practice areas, recently ranked Robins Kapan as a National Tier 1 firm in Commercial Litigation for 2021. *See also attached Exhibit* for Robins Kaplan and Slaughter resume.

7. I have more than 20 years of experience in complex commercial, consumer, financial, and antitrust litigation.

8. I have held leadership roles in numerous complex and class action litigation cases, including the following:

- Dahl v. Bain Capital Partners, LLC, No. 07-cv-12388 (D. Mass.), played a key leadership role representing investors in a class action, antitrust suit against private equity firms for a conspiracy to suppress the buyout price for public companies, which settled for \$590.5 million.
- In re Payment Card Interchange Fee and Merchant Discount Antitrust Litig., MDL No. 1720 (E.D.N.Y.), litigated on behalf of class plaintiffs, who paid excessive fees to Visa and MasterCard in violation of antitrust laws.
- In re LIBOR-Based Financial Instruments Antitrust Litigation, MDL No. 2262 (S.D.N.Y.) represents direct action plaintiffs in antitrust action concerning the fixing of the BBA LIBOR benchmark.
- In re ICE Libor Antitrust Litigation, 19-cv-439 (S.D.N.Y.) serves as co-lead counsel for class plaintiffs in consolidated antitrust action concerning the fixing of ICE LIBOR benchmark.
- The Federal Home Loan Bank of Pittsburgh v. JP Morgan Chase & Co, et al., No. GD-09-016892 (Allegheny Ct., Penn.), represented an institutional investor to recover approximately \$30 million for toxic, residential mortgage-backed securities.

- In re Chrysler-Dodge-Jeep EcoDiesel Marketing, Sales Practices & Products Liability Litig., MDL No. 2777 (N.D. CA.), as a Plaintiffs' Steering Committee member, helped secured a settlement in a multidistrict class action against an automotive manufacturer and parts suppliers - totaling \$307.5 million in cash payments to class members, plus emissions modifications and extended vehicle warranties - by alleging RICO, Magnuson-Moss Warranty Act, and state law claims for the unfair, unlawful, and fraudulent marketing and sales of Ecodiesel vehicles.
- In re Equifax Inc., Consumer Data Security Breach Litig., MDL No. 2800 (N.D. GA.), appointed to Plaintiffs' Steering Committee on behalf of a financial institution class in an action against a major credit reporting agency stemming from data breach.
- *In re Cattle Antitrust Litigation*, MDL No. 1222 (D. Minn.), appointed as lead liaison counsel on behalf of class plaintiffs in antitrust action concerning the fixing of fed cattle prices.
- In re ZF-TRW Airbag Control Units Products Liability Litig., MDL No. 2905 (C.D. Ca.), appointed to Plaintiffs' Steering Committee on behalf of consumer class in action against airbag and vehicle manufacturers.

9. Robins Kaplan LLP has incurred expenses in the amount of \$8,112.39, which include expenses associated with JAMS mediation fees, court filing fees, online legal research costs, pre-Covid 19 courtroom travel for hearings, and copy and mail service. Robins Kaplan LLP performed the legal work for all three cases and the two appeals on an entirely contingent basis.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED at Minneapolis, Minnesota, this 8th day of March, 2021.

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/s/ Stacey P. Slaughter, *Admitted Pro Hac Vice* Stacey P. Slaughter, *Admitted Pro Hac Vice* Case 1.19-cv-12608-WGY Document 71-4 Filed 03/08/21 Page 5 of 17

BISMARCK BOSTON LOS ANGELES MINNEAPOLIS NEW YORK SILICON VALLEY SIOUX FALLS

ROBINS KAPLAN LLP

CONSUMER CLASS ACTION PRACTICE GROUP RESUME

ROBINSKAPLAN.COM

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WHO WE ARE: ROBINS KAPLAN

A national firm dedicated to trial work.

Robins Kaplan is among the nation's premier trial law firms, with more than 250 attorneys across seven U.S. cities.

With one of the nation's top-ranked antitrust practices, we are one of few national firms to have obtained landmark successes on behalf of both plaintiffs and defendants in major antitrust litigation and at trial, including in several of the most significant antitrust cases ever litigated.

We have secured nearly \$10 billion in recoveries for antitrust plaintiffs in the past several years, recovering more than \$2 billion for clients through jury verdicts alone.

Our lawyers secured the first settlement between a state and Big Tobacco using an antitrust theory, and we have forced critical structural reforms in many other industries. Our broad range of experience is reflected in the diverse backgrounds of our legal professionals.

Our persistent trial focus and readiness drives our success in and out of the courtroom.

DIVERSITY

Inclusion has been at the heart of our mission from the start. Robins Kaplan was founded by two Jewish lawyers who were excluded from other firms. They responded by creating a firm where all lawyers are welcome.



of associates hired in 2019 were attorneys of color.



of attorneys promoted to partner in 2020 are 50% from historically underrepresented groups.



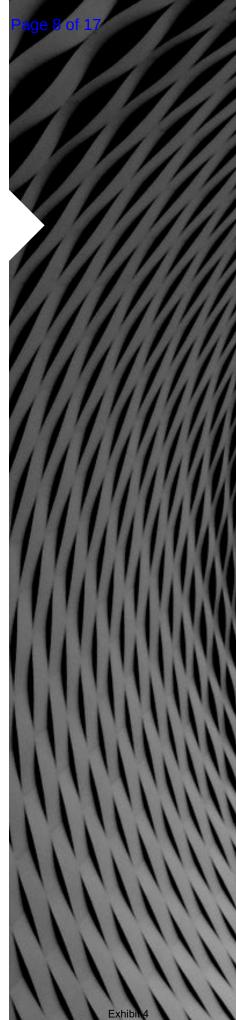
of associates hired in 2019 were women.

SELECTED WORK:

- » Operate an attorney-led diversity committee founded over 20 years ago.
- » Published groundbreaking Transgender Inclusion Guidebook for firm employees.
- » Achieved Mansfield 3.0 Certification for 2020.
- » Operate LEAD program that holds firm leadership accountable for diversity initiatives.

SELECTED RECOGNITION:

- » Leadership Council on Legal Diversity: Top Performer (2020).
- » Named a best law firm for LGBTQ Individuals by Vault (2020).
- » ABA Law Practice Division: Martha Fay Africa Golden Hammer Award (2019).
- » National LGBT Bar Association: Best LGBTQ+ Lawyers Under 40 (2019).
- » Leadership Council on Legal Diversity: Compass Award (2018).
- » Minnesota Lawyer: Diversity & Inclusion Award (2018).
- » Profiles in Diversity Journal: Diversity Leader (2017-19); Innovations in Diversity & Inclusion Award of Excellence (2017); Women Worth Watching (2011-19).
- » Chambers USA: Diversity Award for Most Inclusive Firm for LGBT Lawyers (2016).
- » The National Law Journal: Outstanding Women Lawyers (2015).
- Human Rights Campaign: 100% score in the Corporate Equality >> Index for LGBTQ-friendly work policies and practices (2009-20).



TRIAL VICTORIES

Our trial lawyers have secured billions of dollars in damages in jury and arbitration awards against opponents from Apple to Disney to Starbucks.

\$6.8 BILLION

Settlement with Big Tobacco after a historic 15-week trial. With the result, Robins Kaplan became "the vanguard firm in the first successful battle with Big Tobacco" for states and health insurers (Law360). Domino-like settlements with 45 states followed.

State of Minnesota and Blue Cross & Blue Shield of Minnesota v. Philip Morris Inc., et al. (Minn.)

\$2.7 BILLION

Arbitration award for a Kraft Foods spinoff in breach of contract action against Starbucks, which had terminated Kraft's exclusive rights to sell Starbucks coffee in grocery and retail stores.

Kraft Foods Global, Inc. v. Starbucks Corporation (S.D.N.Y.)

\$520 MILLION

Jury verdict against Microsoft for infringing a patent for web browser technology. The Federal Circuit affirmed the award, which increased to \$565 million with prejudgment interest. The case settled days before a second trial on invalidity.

Eolas Technologies, Inc., et al. v. Microsoft Corp. (N.D. III.)

\$320 MILLION

Federal jury verdict, plus prejudgment interest, against the creators of "Who Wants to Be a Millionaire?" in a dispute over the show's profits.

Celador International, Ltd. v. American Broadcasting Cos., Inc., et al. (C.D. Cal.), aff'd (9th Cir.)

RECENT TRIAL EXPERIENCE RECOGNITION



CONSUMER CLASS ACTION SUCCESS

Robins Kaplan has a well-established history of successfully leading major consumer class actions.

FOR PLAINTIFFS

In re Payment Card Interchange Fee and Merchant Discount Litigation, No. 05-md-1720 (E.D.N.Y.)

\$5.54 Billion

Robins Kaplan, serving as plaintiffs' co- lead counsel, recently reached a \$5.54 billion antitrust settlement on behalf of a class of over 10 million U.S. merchants who have accepted Visa and Mastercard credit cards and debit cards for the purchase of goods and services. The defendants include Visa and Mastercard, as well as major card-issuing banks such as JPMorgan, Chase, Bank of America, Citibank, Wells Fargo, and Capital One.

Fowler v. Wells Fargo, No. 17-cv-2092 (N.D. Cal.)

\$30 Million

Obtained a \$30 million settlement of a nationwide class action alleging Wells Fargo improperly charged FHA mortgage borrowers interest on loans already paid. In re: Chrysler- Dodge-Jeep EcoDiesel Marketing, Sales Practices and Products Liability Litigation, No. 17-md-2777 (N.D. Cal.)

\$307.5 Million

Represents plaintiff consumer class in multidistrict civil RICO and consumer-fraud suit against Fiat Chrysler and Bosch alleging unfair, deceptive, and fraudulent practices in the Defendants' marketing and sale of certain EcoDiesel vehicles. The class vehicles total over 100k and include 2014-16 model-year Jeep Grand Cherokee and Dodge Ram 1500 trucks that were allegedly outfitted with devices that masked their actual emission levels.

In re Automotive Parts Antitrust Litigation No. 12-md-02311 (E.D. Mich.)

\$1.2 Billion To Date

In an unprecedented MDL stemming from the largest criminal antitrust investigation in U.S. history, Robins Kaplan has recovered more than \$1.2 billion in settlements for purchasers of price-fixed auto parts. The cumulative figure is the second-largest indirect purchaser recovery in U.S. history.

In re Air Cargo Shipping Services Antitrust Litigation No. 06-md-1775 (E.D.N.Y.)

\$1.2 Billion

In a class action against providers of air cargo services, Robins Kaplan collected evidence around the world and compelled deposition testimony through The Hague. The final two of 28 settlements came on the eve of trial.

CONSUMER CLASS ACTION SUCCESS CONTINUED

In Re Structured Settlement Litigation, Nos. BC244111, BC244271, BC245412, BC245579, BC246051, GC026372, BC243787 (Cal. Sup., Los Angeles County)

\$134 Million

As class counsel, recovered \$134 million on behalf of a class of 250 injured plaintiffs pursuing claims against major banks, financial institutions and brokerage houses for the loss of U.S. Treasury Bonds which were intended to fund structured settlements to be paid over a twenty year span.

Kirk Dahl, et al. v. Bain Capital Partners, LLC et al. (D. Mass.)

\$600 Million

Robins Kaplan identified private equity firms' alleged conspiracy to suppress acquisition prices for target companies in leveraged buyouts and recovered nearly \$600 million in settlements.

FOR DEFENDANTS

In re Wells Fargo Collateral Protection Insurance Litigation, MDL No. 2797 (C.D. Cal.)

\$432 Million

Robins Kaplan served as co-lead counsel in litigation against Wells Fargo and National General Insurance Company over allegations that it forceplaced duplicative and unnecessary insurance on auto loan customers in violation of federal racketeering and state competition laws. The firm obtained \$432 million in settlements plus substantial relief for consumers who sustained harm to their credit reports.

Garcia v. Sun West, BC652939 (Cal. Sup., Los Angeles County)

\$1.2 Million

Obtained certification of a class of California homeowners in an action alleging Sun West Mortgage Company improperly charged interest on loans already paid.

Durnford v. MusclePharm Corp., No. 4:15-cv-413 (N.D. Cal.)

\$150,000

Represented consumers of a protein supplement in class action litigation alleging that the supplement's manufacturer, MusclePharm Corp., overstated the amount of protein in the product. In 2018, we secured a favorable ruling in the Ninth Circuit clarifying the law on false advertising claims concerning nutritional content.

CONSUMER CLASS ACTION RECOGNITION

CHAMBERS USA

Antitrust Nationwide: Band 1 2014-2020 Commercial Litigation: Band 1 Minnesota 2014-2020 Antitrust Minnesota: Band 1 2014-2020

Benchmark Litigation

"Highly Recommended Litigation Firm" Minnesota 2019-2020

LAW360

"Litigation Powerhouse" 2016 Inaugural List "Most Feared Plaintiffs Firms" 2014-2015

US News & World Report

Commercial Litigation, Nationwide Tier 2, Best Lawyers 2019 Commercial Litigation, Nationwide Tier 2, 2016-2018



STACEY SLAUGHTER

Member of the Executive Board

Co-Chair | Consumer Class Action Practice Group **Deputy Office Manager** | Business Litigation

CONTACT

SSlaughter@RobinsKaplan.com 612.349.8500

EDUCATION

University of Minnesota Law School, J.D., cum laude (1999); Minnesota Law Review Note and Comment Editor

University of Minnesota, M.A. (1996) Florida State University, B.A., *magna cum laude*, with honors (1994)

BAR AND COURT ADMISSIONS

Minnesota New York

U.S. Court of Appeals, First Circuit U.S. Court of Appeals, Second Circuit U.S. Court of Appeals, Eighth Circuit U.S. Court of Appeals, Federal Circuit U.S. District Court, Eastern District of Michigan U.S. District Court, Eastern District of New York U.S. District Court, Massachusetts U.S. District Court, Minnesota U.S. District Court, Montana U.S. District Court, Northern District of California U.S. District Court, Northern District of Georgia U.S. District Court, Northern District of Illinois U.S. District Court, Southern District of Florida U.S. District Court, Southern District of New York

U.S. District Court, Western District of Texas

PRIOR EMPLOYMENT

U.S Minnesota, Law Clerk Judge Michael J. Davis, 1999-2000; 2001-02 Chief Judge Paul. A. Magnuson, 2000-01 Institute on Race & Poverty University of Minnesota 1997-99 Stacey Slaughter is a partner at Robins Kaplan LLP with 20 years experience in complex consumer, financial, and antitrust litigation. She has tried cases in court and arbitration forums across the country. Over her career, Ms. Slaughter has helped recover more than \$1 billion for victims of fraud, negligence, and unlawful conduct.

Among her noteworthy cases, she played a key leadership role in Dahl v. Bain Capital partners, LLC, No. 07-cv-12388 (D. Mass.), representing investors in a class action, antitrust suit against private equity firms for a conspiracy to suppress the buyout price for public companies, which settled for \$590.5 million. Ms. Slaughter litigated on behalf of class plaintiffs *In re Payment Card Interchange Fee and Merchant discount Antitrust Litigation*, MDL No. 1720 (E.D.N.Y.) and currently represents direct action plaintiffs in *In re LIBOR-Based Financial Instruments Antitrust Litigation*, MDL No. 2262 (S.D.N.Y.). She represented an institutional investor in *The Federal Home Loan Bank of Pittsburgh v. JP Morgan Chase & Co, et al.*, No. GD-09-016892 (Allegheny Ct., Penn.), to recover approximately \$30 million for toxic, residential mortgage-backed securities.

She also represented three institutional investors in a closely-held company to recover \$40 million arising from a stock sale. She recovered millions for a sovereign nation whose financial broker recommended investments in unsuitable, non-traded real estate investment trusts. She serves in a court-appointed leadership role on behalf of consumer class plaintiffs in *In re Chrysler-Dodge-Jeep*, MDL No. 2777 (N.D. Ca.), alleging RICO, Magnuson-Moss Warranty Act, and state law claims against an automotive manufacturer and parts supplier for the unfair, unlawful, and fraudulent marketing and sales of Ecodiesel vehicles, which settled for \$307.5 million in cash payments to class members, plus emissions modifications and extended vehicle warranties. Ms. Slaughter also serves in a court-appointed leadership roles in both the *In re Equifax*, MDL No. 2800 (N.D. GA.) data breach litigation and *In re Cattle Antitrust Litigation*, MDL No. 1222 (D.Minn.).

Multiple publications and organizations have recognized Ms. Slaughter's courtroom abilities. Recently, *The National Law Journal* recognized Ms. Slaughter as an Elite Woman of the Plaintiffs' Bar, and *Benchmark Litigation* recognized her as a Local Litigation Star.

She serves as Deputy Managing Partner for the Business Litigation Practice Group at Robins Kaplan LLP, and is a member of the Innovation Committee for Twin Cities Diversity in Practice. Ms. Slaughter also runs a pro bono legal clinic for the Jeremiah Program, which supports single mothers who are earning a college degree.

NOTABLE RECOGNITIONS

AWARDS

- » Named to Twin Cities Business' "Notable Women in Law List" (2020)
- » Named as one of the "Elite Women of the Plaintiff's Bar," *National Law Journal* (2020)
- » Named to the 2019 "Attorneys of the Year" List by Minnesota Lawyer (2019)
- » Named a "Litigation Trailblazer," *The National Law Journal* (2018)
- » Named to *Profiles in Diversity Journal*'s list of "Women Worth Watching" (2017)
- » Named one of *Law360*'s "Women in Securities Law" (2016)
- » Named a "North Star Lawyer" by the Minnesota State Bar Association for providing at least 50 hours of pro bono legal services (2012-2017)
- » Named an "Attorney of the Year," *Minnesota Lawyer* (2014)
- » Named "40 Under 40" by Minneapolis/St. Paul Business Journal (2009)
- » Member of the firm's pro bono team to receive the "2008 Volunteer Award" from The Advocates for Human Rights for work involving state and social services programs for trafficking victims in Minnesota.

RANKINGS

- » Named a "Litigation Star," *Benchmark Litigation* (2020-2021 editions)
- » Named a "New York Super Lawyer," Super Lawyers (2015-2020)

**Being named to the list or receiving the award is not intended and should not be viewed as comparative to other lawyers or to create an expectation about results that might be achieved in a future matter.

WRITINGS

- » Collateralized Loan Obligations: Emerging Litigation Risks Robins Kaplan LLP (June 16, 2020)
- Interview With Lucy Fato, Executive Vice President and General Counsel of AIG The Robins Kaplan Insurance Insight (Winter 2018)
- » Leveraged Products for Retail Investors Pose Hidden Risks Seeking Alpha (December 10, 2017)
- » Accountants' Liability Financier Worldwide (January 2017)
- » Recent Developments in Securities Law Thomson Reuters/Aspatore Inside the Minds series (2015) Chapter: Emerging Developments in Securities Litigation
- » New Developments in Securities Litigation Thomson Reuters/Aspatore Inside the Minds series (2014) Chapter: Advising Clients in a Changing Securities Law Environment
- » Into The Heart of Darkness on Wall Street New York Law Journal (November 3, 2014)
- **»** Total Return Swaps: From the Obscure to the Legal Spotlight *Financial Litigation Insights* (Spring 2014)
- » Once, Twice, Three Times A Class Action in Court Robins, Kaplan, Miller & Ciresi L.L.P. Antitrust Bulletin (Spring 2012)

SPEAKING ENGAGEMENTS/LECTURES

STACEY SLAUGHTER CONTINUED

- » Avoiding Fiduciary Litigation in the Age of Technological and Digital Transformation Robins Kaplan LLP Wealth Planning, Administration, and Disputes Annual CLE: The Future of the Fiduciary, Minneapolis, Minnesota (September 12, 2019)
- Legal Lessons: Advice to My Younger Self
 2019 MWL Conference for Women in the Law, Minneapolis, Minnesota (April 26, 2019)
- » Litigation Perspectives from the United States World Law Congress, Madrid, Spain (February 19, 2019)
- **The Equifax Data Breach: Litigation Basics** Hennepin County Bar Association, Minneapolis, Minnesota (June 19, 2018)
- » Rapid Response: Equifax[®] Data Breach Webinar American Association for Justice, Webinar (November 14, 2017)
- » Class Action Litigation Developments 2016-2017 Bloomberg BNA, Webinar (November 2, 2017)
- **» VW Litigation in Europe and the US** International Financial Litigation Network, Madrid, Spain (November 17, 2016)
- » Forex Manipulation Litigation in Europe International Financial Litigation Network and World Federation of Investors, Madrid, Spain (November 17, 2016)
- » A Look Back at Recent Class Action Litigation Developments Minnesota CLE, Minneapolis, Minnesota (April 5, 2016)
- » Class Action Developments: Year in Review Bloomberg BNA, Webinar (January 12, 2016)
- International Approach to Foreign Exchange Litigation International Financial Litigation Network, London, U.K. (November 18, 2015)
- » Building Credibility Within Your Business Network Executive Leadership Forum: By Invitation Only (B.I.O.), Washington, D.C. (October 28, 2015)
- » Raising Capital: Class Actions and Market Manipulation Law Seminars International, Seattle, Washington (June 4-5, 2015)
- » U.S. Securities Litigation Issues
 Panel, 2015 International Financial Litigation Congress, Madrid, Spain (May 18, 2015)
- Class Action Litigation Developments in 2014
 Webinar, Bloomberg BNA, December 2, 2014 (co-presented)
- » Antitrust in the Financial Markets: Kirk Dahl, et al. v. Bain Capital, et al. Live, New York State Bar Association Antitrust Executive Committee, New York, November 19, 2014 (co-presented)
- » Private Equity "Club Deals": An Antitrust Problem? Live, Hennepin County Bar Association, Minneapolis, Minnesota, October 21, 2014
- » Recent Supreme Court Decisions on Securities Class Actions, SCOTUS Cases, and the Impact on CII Members Live, The Council of Institutional Investors Annual Fall Meeting, Los Angeles, CA (September 29, 2014 – October 1, 2014) (panel)
- » Navigating Through the Supreme Court Decisions on Class Action InsideCounsel and Bloomberg Law, Webinar (October 16, 2013)
- » Class Action Litigation Developments in 2013 Bloomberg BNA, Webinar (October 2, 2013)
- » 2012 Developments in Class Action Litigation Bloomberg BNA, Webinar (November 29, 2012)
- Coordination in Class Action Cases
 WAPA Antitrust Conference, Las Vegas, Nevada (October 11-12, 2012)

ORGANIZATIONS

- » American Association for Justice
- » American Bar Association
- » Federal Bar Association
- » Minnesota State Bar Association
- » New York State Bar Association
- » Minnesota Women Lawyers
- » Jeremiah Program Board of Trustees
- » Twin Cities Diversity in Practice, Committee Member, Member Engagement & Innovation
- » Federal Bar Association, Minnesota Chapter, Committee Member, Class Action, Mass Tort, and Multi-District Litigation Practice Group