

**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 SLAUGHTER TO PLAINTIFFS’ SUPPLEMENTAL
MEMORANDUM IN SUPPORT OF FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND ATTORNEYS’ FEES**

I, Stacey Slaughter, hereby submit this supplemental Declaration in support of Plaintiffs’ Motion for Final Approval of the Class Action Settlement and for Attorneys’ Fees.

Professional Overview

1. This Declaration supplements the Declaration of Stacey P. Slaughter dated March 8, 2021 (“Slaughter Decl.”), ECF No. 71-4.
2. I am a partner at the law firm of Robins Kaplan LLP. I serve on the firm’s Executive Board and as deputy office managing partner for associate development in the business litigation group.
3. I am one of the attorneys who represents the Named Plaintiffs in the above-captioned action on behalf of the Class.

4. I am currently licensed in good standing to practice law in the State of New York and the State of Minnesota, and have been admitted to practice law in several federal courts across the country, including:

1st Circuit Court of Appeals

2nd Circuit Court of Appeals

8th Circuit Court of Appeals

Federal Circuit Court of Appeals

U.S.D.C., District of Minnesota

U.S.D.C., Eastern District of New York

U.S.D.C., Southern District of New York

I am in good standing in every jurisdiction in which I have been admitted to practice.

5. Additionally, I have been admitted to practice *pro hac vice* in several federal district courts across the country, including:

U.S.D.C., Central District of California

U.S.D.C., Northern District of California

U.S.D.C., Southern District of Florida

U.S.D.C., Northern District of Georgia

U.S.D.C., Northern District of Illinois

U.S.D.C., Southern District of Iowa

U.S.D.C., District of Massachusetts

U.S.D.C., District of Maryland

U.S.D.C., Eastern District of Michigan

U.S.D.C., District of Montana

U.S.C.C., Western District of Texas

U.S.D.C., Western District of Wisconsin

6. I have practiced law since 1999, and have substantial class action and other complex litigation experience. I have been appointed class counsel in numerous cases. Over the course of my career, the cases in which I have represented plaintiffs has resulted in more than \$1 billion for victims of fraud, misrepresentation, and negligence. The primary types of cases that I handle are antitrust, financial, and consumer class action matters. I have a national practice, and appear in federal courts across the country. I have both trial and arbitration experience. I have received numerous awards and recognitions for my accomplishments in the law over the course of my career, including recently *Benchmark Litigation* “Litigation Star” (2020-2021), *National Law Journal* “Elite Women of the Plaintiff’s Bar” (2020), *Super Lawyers* “New York Super Lawyer” (2015-2020), and *Twin Cities Business* “Notable Women in Law” (2020). I received my J.D. *cum laude* from the University of Minnesota Law School in 1999. I earned my Master’s degree from the University of Minnesota in 1996, and my B.A., *magna cum laude with honors*, from Florida State University in 1994. Please see Exhibit 1 for my full bio and the Robins Kaplan resume.

7. I have held leadership roles in numerous complex and class action litigation cases, including the following: *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); *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 Chrysler-Dodge-Jeep EcoDiesel Marketing, Sales Practices & Products Liability Litig.*, MDL No. 2777 (N.D. CA.) (appointed to the Plaintiffs’ Steering Committee and helped secure a \$307.5 million settlement in a multidistrict class action concerning fraudulent marketing and sales of Ecodiesel vehicles); *In re Cattle Antitrust Litigation*, MDL No. 1222 (D. Minn.) (appointed lead liaison counsel for class plaintiffs in antitrust action about fed cattle prices); *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); *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 Payment Card Interchange Fee and Merchant Discount Antitrust Litig.*, MDL No. 1720 (E.D.N.Y.) (co-lead counsel for class plaintiffs, who paid excessive fees to Visa and MasterCard in violation of antitrust laws); *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: Liberty Refund Anticipation Loan Litigation v. JTH Tax, Inc.*, MDL No. 2334 (N.D. Ill.) (litigated on behalf of consumer class in payday lending case); *Dahl v. Bain Capital Partners, LLC*, No. 07-cv-12388 (D. Mass.) (co-lead counsel 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).

Robins Kaplan Team

8. Other attorneys and professionals at Robins Kaplan are members of this case team and contributed to the results on behalf of the Class. Each team member, along with co-counsel at Turke & Strauss and Paronich Law, brought unique skills and experience to the case to address issues that arose during various stages in the litigation. Each Robins Kaplan's attorney bio is excerpted and summarized below in order of seniority, and their full bios can be accessed at www.robinskaplan.com.

9. Eric J. Magnuson is a partner and Chair of the Robins Kaplan Appellate Advocacy Practice Group. Eric served as Chief Justice of the Minnesota Supreme Court from 2008-2010. Both before and after his service on the court, his practice has focused almost exclusively on appeals in state and federal courts. Over 45 years, he has handled hundreds of appeals involving a wide range of issues.

10. Randall Tietjen is a partner in Robins Kaplan's Business Litigation Group. In his 30 years as a lawyer, he has represented individuals and a variety of businesses and other

organizations in an array of litigation matters. His practice also includes matters involving questions of professional responsibility for law firms and lawyers. For the past ten years he has served as the Ethics Partner for Robins Kaplan LLP.

11. Glenn Danas brings two decades of experience to Robins Kaplan's national Appellate Advocacy Practice Group. Glenn is also a partner in the firm's Class Action practice group. Glenn's clear writing, attention to detail, and skill at oral argument have helped him to achieve remarkable results for clients, including as counsel of record on cutting-edge appellate matters in the Second Circuit Court of Appeals and the Appellate Division of the New Jersey Superior Court. In recent years, Glenn has achieved several significant wins in consumer protection and employment matters.

12. A partner in the Business Litigation Group, Michael Reif has practiced for 15 years and brings ample TCPA expertise to his practice. A former federal judicial law clerk, Mike has represented both plaintiffs and defendants in high-stakes litigation.

13. A 2003 graduate of Harvard Law School, Brenda Joly is Counsel at Robins Kaplan. Before joining the firm, she was a law clerk at the Bureau of Consumer Protection in Washington, D.C. Among her practice areas, Ms. Joly has drafted numerous appeal briefs, successfully crafting arguments for both appellants and appellees.

14. Austin Hurt, in practice for 10 years, is an associate in the firm's Class Action practice group and focuses on complex litigation.

15. A graduate of the University of California Berkeley and Georgetown Law, Michael Pacelli is an associate in the firm's Class Action practice group.

Law Firm Overview

16. Robins Kaplan LLP is among the nation's premier trial firms, with offices throughout the United States, including Boston, Los Angeles, Minneapolis, New York, and Silicon Valley. Robins Kaplan LLP is an AmLaw 200 firm with 225 attorneys and 75 professionals, including paralegals, trial and multimedia consultants, science and engineering advisors, financial and economic consultants, and e-discovery professionals. With over 85 years

of experience achieving landmark triumphs as well as successful pre-trial resolutions, our attorneys litigate, mediate, and arbitrate client disputes, always ready for an ultimate courtroom battle. When huge forces are at play, major money is at stake, or rights are being trampled, we help clients cut through complexity, get to the heart of the problem, and win what matters most.

17. The firm has been recognized by the National Law Journal on its “Plaintiff’s Hot Lit” and “Elite Trial Lawyer’s List,” the American Lawyer’s “A-List,” BTI Consulting Group’s “Most Feared Law Firms,” Law360’s “Litigation Powerhouse” and “Most Feared Plaintiff’s Firms,” and Benchmark Litigation’s “Top 10 Plaintiff’s Firm.” Best Lawyers, which has repeatedly placed the firm among leaders in several practice areas, recently ranked Robins Kaplan as a National Tier 1 firm in Commercial Litigation for 2021. *See* Exhibit 1.

18. Robins Kaplan has earned these accolades for good reason. Our lawyers and professional staff are focused on seeking exceptional results for our clients. We deliver value by creating solutions to legal problems through high-quality work and innovative strategy designed to meet client objectives. This focus on seeking exceptional results has led to several billion dollar recoveries. *See* www.robinskaplan.com/results.

Work Performed by Class Counsel

19. As a result of our firm’s and co-counsel firms’ experience litigating TCPA and other class action cases, we were able to effectively handle this action and achieve a significant result for the Settlement Class.

20. In addition to conducting a thorough and extensive investigation of the facts and law before asserting the claims in this case, Class Counsel (1) drafted the initial Minnesota class action Complaint, the Amended Complaint, the Massachusetts Complaint, and the New York Complaint; (2) drafted a comprehensive set of discovery requests to HelloFresh; (3) met and conferred with Defendants during the course of discovery over several discovery disputes; (4) briefed and filed a motion to compel discovery; (5) served six third-party subpoenas; (5) reviewed over 20,000 pages of documents and extensive class data produced by Defendant and third parties; (6) forensically collected the computer hard drive and documents of Plaintiff

Engen; (7) collected the documents of Plaintiffs Bauer, Groff, Hall, McOsker, Murray, Simecek, Tippet, and Tubesing; (7) responded to HelloFresh's document requests and produced plaintiff documents; (8) responded to HelloFresh's requests for admission and interrogatories; (9) briefed the opposition to Defendant's motion to compel arbitration in federal district court in Minnesota; (10) appeared for an in-person hearing to argue the opposition to Defendant's motion to compel arbitration in federal district court in Minnesota; (11) briefed the opposition to Defendant's motion to compel arbitration in federal district court in Massachusetts; (12) appeared in person for the virtual hearing to argue the opposition to Defendant's motion to compel arbitration in federal district court in Massachusetts; (13) briefed the opposition to Defendant's motion to stay district court proceedings in Minnesota pending HelloFresh's appeal of the arbitration decision; (14) briefed the opposition to Defendant's motion to stay district court proceedings in Massachusetts pending HelloFresh's appeal of arbitration decision; (15) began drafting an opposition to HelloFresh's Eighth Circuit appeal of the arbitration decision; (16) began drafting an opposition to HelloFresh's First Circuit appeal of the arbitration decision; (17) prepared and noticed the deposition of HelloFresh's corporate representative on 44 topics; (18) served third-party discovery on the Better Business Bureau; (19) engaged multiple experts on relevant trial issues; (20) prepared a mediation brief; (21) engaged in a JAMS mediation before the Hon. Judge George King (Ret.); and (22) consulted with the Class Representatives throughout the course of the case.

21. In addition, Class Counsel has undertaken considerable work in connection with the Settlement and Settlement Administration. This has included (1) assisting in the drafting the Settlement Agreement and exhibits thereto; (2) preparing Plaintiff's Preliminary Approval papers; (3) reviewing the bids received from settlement administrator vendors; (4) selecting the competitive bid from the Settlement Administrator (KCC); (5) reviewing the final drafts of the Settlement Notice prepared by the Settlement Administrator, and ensuring that they were timely mailed and e-mailed; (6) working with the Settlement Administrator to create a settlement website and telephone support line for Settlement Class Members; (7) communicating with Settlement Class Members; (8) preparing the Final Approval Motion; (9) preparing the Motion

for Service Awards, Expenses, and Attorneys' Fees; (10) attending the Final Approval Hearing; and (11) preparing this supplemental brief supporting final approval.

22. We were able to achieve efficiencies by assigning litigation task areas where we would take the primary lead: Robins Kaplan (primarily briefing in all three cases, oral argument, appellate and trial issues); Turke & Strauss (primarily background investigation, client communications, client discovery, and third-party discovery); Paronich Law (primarily offensive discovery against HelloFresh, meet-and-confer matters, expert work, and settlement administration). All three firms participated in the mediation briefing and JAMS session, and all three firms contributed to all case tasks on an as needed basis.

23. Class Counsel's work on this matter remains ongoing. Prior to the Final Fairness Hearing, Class Counsel responded to the objections, including that of Sarah McDonald. Class Counsel also sought discovery of objector McDonald to determine motive, credibility, and whether her interests aligned with those of the Settlement Class.

24. If final approval is granted, Class Counsel will supervise the distribution of payments to Settlement Class Members. In addition, Class Counsel will respond to questions from Settlement Class Members and take other actions necessary to support the Settlement until the conclusion of the Settlement Period. Class Counsel will brief and argue any appeals in this case.

25. The work summarized above required the efforts of numerous attorneys and professional staff at Robins Kaplan, Turke & Strauss, and Paronich Law. Robins Kaplan's firm practice is to keep contemporaneous records and to regularly record time records in the normal course of business, and we kept time records in this case consistent with that practice. Moreover, our firm's practice is to bill in 6-minute (tenth-of-an-hour) increments. The firm's billing records are lengthy but can be provided for in camera review, if the Court deems it necessary, but the firm has not done so here where it appears that such supporting documentation has not historically been required by this Court. *See, e.g. Moitoso*, 18-cv-12122-WGY, Doc. Nos. 254, 254-2, 271 (D. Mass.); *In re Relafen Antitrust Litig.*, 01-cv-12239-WGY, Doc. Nos. 295, 457 (D. Mass.).

26. Exhibit 2 is a true and correct copy of Robins Kaplan's timekeeper summary in this action. As reflected by this summary, Robins Kaplan expended 1,015.2 hours in pursuing this matter through the date of the Final Approval Hearing on May 11, 2021. Our co-counsel Turke & Strauss expended 1,023.60 hours (*see* Declaration of Samuel Strauss at ¶17), and co-counsel Paronich Law expended 561.7 hours (*see* Declaration of Anthony Paronich at ¶ 13). Class Counsel invested a grand total of 2,600.50 hours in this litigation through May 11, 2021.

27. Several team members at Robins Kaplan are licensed in more than one jurisdiction, including California, Massachusetts, Minnesota, New York, and Wisconsin. Because this litigation spanned multiple years, we calculated the average worked billing rate for each timekeeper, and that ranged from \$763.47 to \$1,105 per hour for attorneys with 15 to 45 years of experience, and \$600 to \$620.45 for attorneys with less than 15 years of experience. We also included the Robins Kaplan's 2021 billing rates for complex litigation for each timekeeper. During the court of the litigation, the average worked billing rate for our paralegal was \$187.45 per hour, and our investigative forensic accountant's average worked billing rate was \$505 per hour. The firm's average worked rate for all timekeepers combined was \$852.95.

28. Robins Kaplan LLP is an AmLaw 200 firm. Law.com lists the firm at #158 for 2021 among the nation's law firms. <https://www.law.com/law-firm-profile/?id=256&name=Robins-Kaplan-LLP>. The Robins Kaplan hourly billing rates for complex litigation are comparable to those of other large, national law firms, with attorneys licensed to practice in New York. Exhibit 3 is a report from Thomson Reuter's Peer Monitor showing comparable billing rates among AmLaw 100 firms with a New York city office. Based on the proprietary nature of this data and received permissions to use the data, Robins Kaplan has requested to file this Exhibit under seal. Data obtained from Peer Monitor supports that the billable rates charged by attorneys in this case are below the average market range for attorneys of comparable experience and bar licensure among large, national law firms.

29. All of the work of Class Counsel has been undertaken on a contingent basis. To date, Class Counsel have not been compensated for any of this work. Based on the hourly rates

and worked performed through May 11, 2021, the total lodestar for the Robins Kaplan firm amounts to \$865,917. *See* Exhibit 2. The total lodestar of the Turke & Strauss law firm is \$460,245, and the total lodestar of the Paronich law firm is \$308,935. Strauss Dec. at ¶ 18; Paronich Decl. at ¶ 13. The total lodestar for Class Counsel is \$1,635,097. The multiplier on attorneys' fees for work completed through May 11, 2021 is 2.74.

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 1st day of June, 2021.

/s/ Stacey P. Slaughter, Admitted Pro Hac Vice
Stacey P. Slaughter, Admitted Pro Hac Vice

EXHIBIT 1

BISMARCK
BOSTON
LOS ANGELES
MINNEAPOLIS
NEW YORK
SILICON VALLEY
SIOUX FALLS

ROBINS  KAPLAN_{LLP}

**CONSUMER CLASS ACTION
PRACTICE GROUP RESUME**

ROBINSKAPLAN.COM

TABLE OF CONTENTS

WHO WE ARE: ROBINS KAPLAN	1
DIVERSITY	2
TRIAL VICTORIES	3
RECENT TRIAL EXPERIENCE RECOGNITION	4
CONSUMER CLASS ACTION SUCCESS	5
CONSUMER CLASS ACTION RECOGNITION	7
STACEY SLAUGHTER BIOGRAPHY	8



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 225 attorneys across seven U.S. cities.

We are one of few national firms to have obtained landmark successes on behalf of both plaintiffs and defendants in major class action litigation and at trial.

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.

We have recovered more than \$2 billion for clients through jury verdicts alone.

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.

47% of associates hired in 2019 were attorneys of color.

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

53% 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 (2011-20).
- » *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 (2009-21).

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 pre-judgment interest. The case settled days before a second trial on invalidity.

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

\$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

THE NATIONAL
LAW JOURNAL

“Elite Trial Lawyers List”

“Plaintiffs’ Hot List”

THE
AMERICAN LAWYER

“A-List”

B T I
CONSULTING GROUP

“Most Feared Law
Firms in Litigation”

“Client Service
A-Team”

“Honor Roll: Most
Feared Law Firms”

“Litigation Outlook:
Awesome Opponent”

B BENCHMARK
LITIGATION

“Top 10 Plaintiffs Firm”

ALM
An Integrated Media Company

“Go-To Law Firms at the Top
500 Companies”

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

FOR PLAINTIFFS

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.

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 force-placed 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
2014-2021

Commercial Litigation: Band 1
Minnesota
2014-2021

Antitrust Minnesota: Band 1
2014-2021

BENCHMARK LITIGATION

“Highly Recommended
Litigation Firm”
Minnesota
2019-2021 Editions

Firm - Tier 1:
Antitrust
(2021 Edition)

Firm - Tier 2:
General Commercial
(2021 Edition)

THE LEGAL 500

One of the nation’s top firms in the area of
Antitrust: Civil Litigation/Class Actions 2016-2020

LAW360

“Litigation Powerhouse”
2016 Inaugural List

“Most Feared Plaintiffs Firms”
2014-2015

U.S. NEWS & WORLD REPORT: BEST LAWYERS

Commercial Litigation:
National Tier 1
(2021 Edition)

Commercial Litigation:
Metropolitan Tier 1, Minneapolis
(2019-2021 Editions)

Litigation - Antitrust:
National Tier 1
(2019, 2021 Editions)

Mass Tort Litigation/Class Actions -
Plaintiff: Metropolitan Tier 1,
Minneapolis (2019-2021 Editions)



STACEY SLAUGHTER

Partner; Member of the Executive Board | Minneapolis

CONTACT

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612.349.8500

EDUCATION

University of Minnesota Law School, J.D.,
cum laude (1999); Note and Comment
Editor, *Minnesota Law Review*
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,
Central District of California
U.S. District Court,
Eastern District of Michigan
U.S. District Court,
Eastern District of New York
U.S. District Court, Maryland
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 Iowa
U.S. District Court,
Southern District of New York
U.S. District Court,
Western District of Texas
U.S. District Court,
Western District of Wisconsin

Few lawyers have done more to champion the rights of consumers, businesses, and investors who have been harmed by anticompetitive conduct, fraud, and negligence than high-stakes litigator Stacey Slaughter.

Ms. Slaughter is a partner and member of the executive board at Robins Kaplan LLP with decades-long experience in consumer class action litigation, complex commercial litigation, antitrust litigation, and securities and financial markets litigation. The cases Ms. Slaughter has litigated have recovered more than \$1 billion for victims of deceptive or unlawful conduct, and have included some of the largest, most high profile, and most innovative cases affecting financial markets and arising under federal securities laws and antitrust laws. At home in the courtroom, Ms. Slaughter has litigated numerous cases to trial, arbitration, and resolution, with experience in courts and arbitration forums around the United States.

A FIERCE CHAMPION FOR CONSUMERS

For over 20 years, Ms. Slaughter has regularly served in court-appointed leadership roles representing consumers whose rights and wellbeing have been compromised. Ms. Slaughter serves on the plaintiffs' steering committee representing a class of consumers in a lawsuit against an airbag manufacturer and auto manufacturers involving allegedly defective airbag safety systems. Ms. Slaughter also served in a court-appointed leadership role representing a class of consumers and reseller car dealers against Fiat Chrysler and Bosch alleging RICO claims for diesel emissions violations, which recently settled for \$546 million in cash and repairs.

A TRUSTED ADVOCATE FOR BUSINESSES AND INVESTORS IN COMMERCIAL AND FINANCIAL MARKETS LITIGATION

Ms. Slaughter represents businesses, organizations, institutional investors, shareholders, and brokers that face significant commercial disputes, complex business problems, and novel legal issues. She currently represents direct action plaintiffs alleging manipulation of the LIBOR benchmark in the billion-dollar multi-district litigation in the Southern District of New York against numerous bank defendants surrounding the BBA LIBOR-rigging scandal.

Among the noteworthy results she has obtained on behalf of organizations and investors, Ms. Slaughter represented financial

EXPERIENCE CONTINUED**STACEY SLAUGHTER CONTINUED**

institutions in a class action lawsuit against Equifax regarding its unprecedented security failure, one of the largest data breaches in history that impacted an estimated 143 million Americans. She represented investors in an antitrust class action lawsuit against the largest private equity firms for a conspiracy to suppress the buyout price for public companies, which settled for \$590.5 million. Ms. Slaughter also represented a class of over 10 million U.S. merchants who accepted Visa and Mastercard credit and debit cards for the purchase of goods and services, resulting in a \$5.54 billion settlement, the largest known in a private antitrust case in the 120-year history of the Sherman Act.

Ms. Slaughter represented an institutional investor to recover a confidential amount for toxic, residential mortgage-backed securities. She represented three institutional investors in a closely-held company to recover \$40 million arising from a failed tax shelter instituted as part of a stock sale. Ms. Slaughter also recovered millions in a FINRA arbitration for a sovereign nation whose financial broker recommended investments in unsuitable, non-traded real estate investment trusts.

A RESPECTED LEADER IN THE FIRM AND PLAINTIFF BAR COMMUNITY

In addition to serving on the firm's executive board, Ms. Slaughter serves as deputy office managing partner for associate development in the Robins Kaplan Business Litigation Department. She also serves on the firm's advancement, hiring, and pro bono committees. She is active in a number of high-profile legal organizations, including the American Association for Justice, American Bar Association, and Federal Bar Association.

Ms. Slaughter's recent recognition includes *Twin Cities Business* "Notable Women in Law" (2020), *Benchmark Litigation* "Litigation Star" (2020-2021), *National Law Journal* "Elite Women of the Plaintiff's Bar" (2020), and *Super Lawyers* "New York Super Lawyer" (2015-2020). Ms. Slaughter was also named to the *Law360* Consumer Protection Editorial Advisory Board (2021).

Ms. Slaughter is a frequent author and lecturer on topics related to class action, antitrust, securities, and financial markets litigation, including:

- Securities Fraud and Manipulation
- Asset-Backed Securities and Other Structured Financial Products
- Collateralized Loan Obligations (CLOs)
- LIBOR Interest Rate and Other Benchmark Manipulation
- Unsuitable Investments and Failure to Supervise
- FINRA Arbitrations
- FTC Actions

In addition to her professional practice, Ms. Slaughter runs a *pro bono* legal clinic for the Jeremiah Program, a nonprofit organization that supports single mothers who are earning a college degree and provides early childhood development opportunities.

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

NOTABLE RECOGNITIONS**STACEY SLAUGHTER CONTINUED**

- » Named to *Twin Cities Business*' "Notable Women in Law List" (2020)
- » Named a "Litigation Star," *Benchmark Litigation* (2020-2021 editions)
- » 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 a "New York Super Lawyer," *Super Lawyers* (2015-2020)
- » 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.

***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**

- » **Antitrust: Taking on Monopoly Power from the Gilded Age to the Digital Age: A Virtual Discussion with Senator Amy Klobuchar About Her New Book**
Opening Remarks, Robins Kaplan LLP, Webinar (May 24, 2021)
- » **Practice Pointers for Virtual Hearings**
Moderator, Federal Bar Association Minnesota Chapter Class Action and Mass Tort Practice Groups, Webinar (May 17, 2021)
- » **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

SPEAKING ENGAGEMENTS/LECTURES CONTINUED

STACEY SLAUGHTER CONTINUED

- » **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 Chapter; Class Action, Mass Tort, and MDL Subcommittee
- » International Financial Litigation Network, Executive Director
- » Minnesota State Bar Association
- » Minnesota Women Lawyers (MWL), Equity Committee
- » New York State Bar Association
- » Twin Cities Diversity in Practice; Member Engagement & Innovation, Committee Member

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EXHIBIT 2

Murray v. Grocery Delivery E-Services USA Inc.
Court File No: 1:19-cv-12608-WGY

EXHIBIT 2**Partners/Of Counsel:**

Name	Years of Experience	Bar License	2021 Billing Rate Per Hour	Average Worked Rate (2019-2021)	Hours Worked	Worked/Lodestar Value
Eric Magnuson	45	NY, MN & WI	\$1,160	\$1,105.00	7.5	\$8,288
Randall Tietjen	30	MN	\$1,095	\$1,095	4	\$4,380
Stacey Slaughter	22	NY & MN	\$975	\$942.10	387.8	\$365,348
Glenn Danas	20	CA	\$910	\$763.47	10.8	\$8,246
Brenda Joly	18	MA & MN	\$900	\$842.14	343	\$288,855
Michael Reif	15	MN	\$900	\$802.27	203.2	\$163,021

Associate Attorneys:

Name	Years of Experience	Bar License	2021 Billing Rate Per Hour	Average Worked Rate (2019-2021)	Hours Worked	Worked/Lodestar Value
Austin Hurt	10	MN	\$630	\$620.45	22	\$13,650
Michael Pacelli	4	CA & MN	\$630	\$600	14.1	\$8,460

Law Clerks/Paralegals/Support Staff:

Name	Years of Experience	2021 Billing Rate Per Hour	Average Worked Rate (2019-2021)	Hours Worked	Worked/Lodestar Value
Ann Potter – paralegal	7	\$390	\$187.45	18.4	\$3,449
Richard Zabel, CPA – forensic accountant	33	\$835	\$505	4.4	\$2,222

Total Hours (through May 11, 2021):**1,015.2****Total Worked Value (through May 11, 2021):****\$865,917**

EXHIBIT 3
UNDER SEAL