

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

JESSICA GUERRERO and JEFFREY
MATHEWS, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

MERRITT HEALTHCARE HOLDINGS,
LLC, d/b/a MERRITT HEALTHCARE
ADVISORS,

Defendant.

Case No. 3:23-cv-00389-MPS

**DECLARATION OF DARYL F. SCOTT
OF SCOTT+SCOTT ATTORNEYS AT
LAW LLP IN SUPPORT OF CLASS
COUNSEL'S AMENDED MOTION
FOR AN AWARD OF ATTORNEYS'
FEES, REIMBURSEMENT OF
EXPENSES, AND NAMED PLAINTIFF
SERVICE PAYMENTS**

Judge: Hon. Michael P. Shea

I, Daryl F. Scott, subject to the penalties of perjury provided by 18 U.S.C. § 1746, hereby declare as follows:

1. I am a partner at the law firm of Scott+Scott Attorneys at Law LLP ("Scott+Scott"). I submit this Declaration in support of Class Counsel's Amended Motion for an Award of Attorneys' Fees, Reimbursement of Expenses, and Named Plaintiff Service Payments in connection with time spent and expenses incurred by my firm in connection with this action. I have personal knowledge of the matters stated herein and, if called upon, I could, and would, competently testify thereto.

2. On July 13, 2023, the Court appointed Erin Green Comite of Scott+Scott as liaison counsel for the putative class in the above-captioned action (the "Litigation") (ECF No. 43), and

on May 14, 2024, the Court appointed Erin Green Comite of Scott+Scott as liaison counsel for the Settlement Class.¹ ECF No. 80, ¶2.

3. The work performed by Scott+Scott on behalf of Plaintiffs and the Settlement Class includes the following: reviewing and paralegaling the draft complaint received from one of the co-lead counsel; serving the complaint; preparing draft *pro hac vice* applications for co-lead counsel; drafting the motion for consolidation and motions for extension of time; reviewing and paralegaling the draft consolidated complaint received from co-lead counsel; providing guidance regarding local practice and Rule 26(f) conference reports; reviewing the draft settlement agreement from co-lead counsel; attending court hearings; communicating with co-lead counsel regarding case management deadlines; reviewing and revising the motion for final approval of the settlement; and liaising with the claims administrator in connection with the settlement process.

4. **Exhibit 1** sets forth a summary chart as well as the contemporary time records for the work performed by partners, attorneys, and support staff of my firm, from inception of the Litigation through October 15, 2024. The billing rates for the partners, attorneys, and support staff align with the firm's standard billing rates for contingent cases. The rates reflected are historical rates, *i.e.*, the rates that were in effect at the time when the work was performed.

5. The hours spent by my firm from the inception of the Litigation through October 15, 2024 totals **121 hours**. The firm's lodestar totals **\$85,446.00**. Total hours were calculated through an examination of contemporaneous time records regularly prepared and maintained by my firm. This declaration is supported by the accounting records and related material maintained by my firm and documented in the ordinary course of business. The information was assembled

¹ The term "Settlement Class" has the same meaning as defined in the Court's Order on Plaintiffs' Unopposed Motion for Preliminary Approval of Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan. ECF No. 80, ¶1.

and prepared by my staff and reviewed by me and my firm. During the review, we exercised billing judgement and reduced or excluded certain time entries and certain expenses. Time spent preparing this fee and expense application was excluded from this declaration.

6. My firm and I have reviewed the accuracy of these time records and their relevance and have concluded they are reasonable and necessary for the prosecution of the Litigation. These adjustments were not only consistent with the firm's best practices but also beneficial to the Settlement Class.

7. **Exhibit 2** sets forth the unreimbursed expenses my firm incurred in prosecuting the Litigation from the inception of the Litigation through October 15, 2024, totaling **\$1,552.05**.

8. These unreimbursed expenses, incurred on behalf of Plaintiffs and the Settlement Class, are accurately reflected on the books and records of my firm and were prepared from expense reports with attached receipts, check records, and other source materials.

9. With respect to the standing of my firm, brief biographies of the firm's attorneys, who submitted time in connection with the prosecution of the Litigation are attached as **Exhibit 3**.

I declare under penalty of perjury, under the laws of the United States of America, that to the best of my knowledge, the foregoing is true and correct.

Executed on this 29 day of October, 2024 at Richmond, Virginia.

A handwritten signature in black ink, appearing to read "D.F. Scott", written over a horizontal line.

Daryl F. Scott