

**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

**DECLARATION OF LAURA VAN
NOTE OF COLE & VAN NOTE 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, Laura Van Note, subject to the penalties of perjury provided by 18 U.S.C. § 1746,
hereby declare as follows:

1. I am a shareholder at Cole & Van Note. 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 Cole & Van Note as Class Counsel for the putative class in the above-captioned action (the "Litigation"). ECF No. 43.

3. The work performed by Cole & Van Note on behalf of Plaintiffs and the Settlement Class¹ includes the following: investigating the data breach, drafting pleadings, engaging in informal discovery, communicating and coordinating with local counsel and co-counsel, participating in mediation and negotiations and drafting and reviewing the motions for preliminary, final approval and for attorneys' fees and costs.

4. **Exhibit 1** sets forth the time records for the work performed by partners, attorneys, and support staff of my firm, from inception of the Litigation through October 14, 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 205.9 hours. The firm's lodestar totals \$89,855.50. 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 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

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.

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 14, 2024, totaling \$9,073.99.

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 25th day of October, 2024 at Oakland, California.

/s/ Laura Van Note
Laura Van Note, Esq.
COLE & VAN NOTE
555 12th Street, Suite 2100
Oakland, CA 94607
Telephone: (510) 891-9800
lvn@colevannote.com