

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

BLAIR DOUGLASS, on behalf of himself and  
all others similarly situated,

Plaintiff,

v.

MONDELÉZ GLOBAL LLC,

Defendant.

Civil Action No. 2:22-cv-00875-WSH

**DECLARATION OF KEVIN TUCKER**

I, Kevin Tucker, under penalty of perjury under the laws of the United States of America, affirm and state as follows:

1. I have personal knowledge as to all matters set forth in this declaration and could testify to the same if called to do so.

2. I am a co-founder of East End Trial Group LLC and work as an attorney at the firm. I am a consumer and civil rights attorney experienced in prosecuting actions under federal and state consumer protection and anti-discrimination statutes. I am a graduate of the University of Michigan with degrees in English and Anthropology, and of the University of Pittsburgh School of Law, for which I serve as Vice President of its Alumni Board of Governors. My resume was previously filed in this case. (*See* Doc. 12-3.)

3. I am a member in good standing of the Pennsylvania bar. I am admitted to practice before the Third and Ninth Circuit Courts of Appeals and before the following federal courts: the Eastern, Middle, and Western Districts of Pennsylvania, the Northern and Western Districts of New York, the Northern District of Illinois, and the Eastern District of Michigan.

4. In 2023, I received the Young Alumni Award from the University of Pittsburgh School of Law for my contributions in cases concerning consumer protection, cybersecurity and privacy, and the Americans with Disabilities Act.

5. I previously chaired the Allegheny County Bar Association's Civil Rights Litigation Committee.

6. Before founding East End Trial Group, I was a partner at Carlson Lynch LLP, a national plaintiffs-side class action law firm based in Pittsburgh, PA. The Legal Intelligencer named Carlson Lynch the Litigation Department of the Year in 2019 for work the firm did while I was a member of the Carlson Lynch team.

7. Since 2016, I have helped prosecute actions on behalf of consumers.

8. This work includes serving as a committee member representing plaintiffs in *In Re: Philips Recalled CPAP, Bi-Level PAP, and Mechanical Ventilator Products Litigation*, MDL 3014, Doc. 395 (W.D. Pa.) ("*Philips*"); *In Re FedLoan Student Loan Servicing Litigation*, MDL 2833 (E.D. Pa.) ("*FedLoan*"); and *In Re Equifax, Inc. Customer Data Security Breach Litigation*, MDL 2800 (N.D. Ga.) ("*Equifax*").

9. In *Philips*, Judge Conti of the Western District of Pennsylvania appointed me to Plaintiffs' Leadership Development Committee ("LDC"). Following this appointment, the LDC elected me to serve as its Co-Chair, tasked with ensuring LDC members receive opportunities to materially contribute to the prosecution of the MDL.

10. In *FedLoan*, I served as a committee member for the leadership team prosecuting claims against the United States Department of Education and one of the country's largest student loan servicers on behalf of a putative nationwide class of student loan borrowers. This committee work included investigating the factual backgrounds of putative class representatives, identifying

the common policies and practices by which they were harmed, and drafting the consolidated complaint's allegations from this information.

11. In *Equifax*, I served as a committee member for a leadership team that secured a \$30 million recovery for a putative class of financial institutions for injuries they suffered as a result of a 2017 data breach. See Unopposed Motion for Settlement, *In Re Equifax, Inc. Customer Data Security Breach Litigation*, MDL 2800, ECF 1107 (N.D. Ga. May 15, 2020). My contributions centered on research into third-party information sources, including document requests for public filings, congressional testimony, and independent news coverage.

12. In addition to litigating class actions generally, I have litigated Title III digital accessibility claims since 2016, helping to secure landmark decisions across the country confirming public accommodations have a legal obligation to make digital content fully and equally accessible to everyone. See, e.g., *Gniewkowski v. Lettuce Entertain You Enters., Inc.*, 251 F. Supp. 3d 908 (W.D. Pa. 2017); *Access Now, Inc. v. Otter Prods., LLC*, 280 F. Supp. 3d 287 (D. Mass. 2017); *Access Now, Inc. v. Blue Apron, LLC*, No. 17-cv-00116, 2017 U.S. Dist. LEXIS 185112 (D.N.H. Nov. 8, 2017); *Gathers v. 1-800-Flowers.com, Inc.*, No. 17-cv-10273, 2018 U.S. Dist. LEXIS 22230 (D. Mass. Feb. 12, 2018); *Access Now, Inc. v. Sportswear, Inc.*, 298 F. Supp. 3d 296 (D. Mass. 2018); *Murphy v. Bob Cochran Motors, Inc.*, No. 19-cv-00239, 2020 U.S. Dist. LEXIS 139887 (W.D. Pa. Aug. 4, 2020), *adopted by, motion denied by, objection overruled by* 2020 U.S. Dist. LEXIS 177593 (W.D. Pa. Sept. 28, 2020).

13. More recently, I have been appointed class counsel in several Title III class actions concerning digital accessibility. See *Douglass v. P.C. Richard & Son, LLC*, No. 2:22-cv-399, Doc. 46 (W.D. Pa. Mar. 16, 2023) (Kelly, J.), *Murphy v. Le Sportsac, Inc.*, No. 1:22-cv-58, Doc. 45 (W.D. Pa. Jan. 24, 2023) (Lanzillo, J.), *Douglass v. Optavia LLC*, No. 2:22-cv-594, Doc. 38, p. 3

(W.D. Pa. Jan. 23, 2023) (Wiegand, J.); *Murphy v. The Hundreds Is Huge, Inc.*, No. 1:21-cv-204, Doc. 41, p. 3 (W.D. Pa. Nov. 17, 2022) (Lanzillo, J.); *Giannaros v. Poly-Wood, LLC*, No. 1:21-cv-10351, Doc. 45, p. 2 (D. Mass. Oct. 27, 2022) (Young, J.); *Murphy v. Charles Tyrwhitt, Inc.*, No. 1:20-cv-56, Doc. 47, p. 3 (W.D. Pa. Feb. 16, 2022) (Baxter, J.); *Murphy v. Eyebobs, LLC*, No. 1:21-cv-17, Doc. 49, p. 3 (W.D. Pa. Feb. 9, 2022) (Lanzillo, J.).

### **OVERVIEW OF EFFORTS ON BEHALF OF PLAINTIFF AND THE CLASS**

14. Class Counsel have pursued this case on behalf of Plaintiff since May 2020, when Plaintiff engaged Class Counsel to bring discrimination claims against Defendant for its inaccessible online stores. Since the start of his involvement, Plaintiff has been an exemplary class representative. He has provided Class Counsel with information concerning the access and communication barriers he encountered upon browsing Defendant's online stores, reviewed pleadings, reviewed the proposed settlements terms, and approved the Agreement submitted to the Court. He is aware of his duties as a class representative and has performed them adequately and in a timely manner.

15. Class Counsel have not been compensated for the work performed on this case, which has required Class Counsel to spend substantial time on this litigation that could have been spent on other matters. The work performed by Class Counsel in this case includes, but is not limited to the following:

(a) Class Counsel completed multiple investigations into the accessibility of Defendant's online stores to consumers who use VoiceOver on iPhone and other Apple devices to access digital content. "VoiceOver is an industry-leading screen reader that tells you exactly what's happening on your device." *Accessibility*, Apple, <https://www.apple.com/accessibility/vision/> (last visited June 2, 2023).

(b) Class Counsel investigated the accessibility of Defendant's online stores to consumers who use JAWS to access digital content from computers. "JAWS, Job Access With Speech, is the world's most popular screen reader, developed for computer users whose vision loss prevents them from seeing screen content or navigating with a mouse. JAWS provides speech and Braille output for the most popular computer applications on your PC. You will be able to navigate the Internet, write a document, read an email and create presentations from your office, remote desktop, or from home." JAWS®, Freedom Scientific, <https://www.freedomscientific.com/products/software/jaws/> (last visited June 2, 2023).

(c) Class Counsel drafted the Nationwide Class Action Complaint.

(d) Class Counsel successfully moved for preliminary class certification on behalf of "all Blind or Visually Disabled individuals who use screen reader auxiliary aids to navigate digital content and who have accessed, attempted to access, or been deterred from attempting to access, or who may access, attempt to access, or be deterred from attempting to access, [Defendant's online stores] from the United States." (Doc. 16, p. 2.).

(e) Class Counsel engaged in *years* of arm's-length, serious, informed, and non-collusive negotiations with knowledgeable and experienced counsel. These negotiations were adversarial and required thoughtfulness and discipline to steer the action toward a resolution without compromising the injunctive relief sought on behalf of the Settlement Class Members.

(f) Class Counsel tested the accessibility of the Settlement Website to ensure it, and the various documents made available on it, were fully accessible to individuals who use screen reader auxiliary aids.

(g) Class Counsel prepared and filed Plaintiff’s Unopposed Motion For Certification Of The Settlement Class And Final Approval Of The Class Action Settlement, and supporting documents.

(h) Class Counsel prepared and filed Plaintiff’s Motion For Attorneys’ Fees And Incentive Award, and supporting documents.

(i) In addition to the above efforts, the Agreement includes deadlines during the Agreement Term by which Class Counsel must complete various tasks, other obligations that occur annually, and potentially unlimited representation of Settlement Class Members over the next two years, including during informal meet-and-confers with defense counsel, at mediation, and before the Court.

**CLASS COUNSEL’S SUBMITTED LODESTAR**

16. Class Counsel have spent a total of 185.8 hours prosecuting Plaintiff’s claim through today’s date.

17. When applied to Class Counsel’s hourly rates, Plaintiff’s lodestar is \$87,535.00.

| East End Trial Group LLC |       |       |       |       |       |       |       |                    |                       |
|--------------------------|-------|-------|-------|-------|-------|-------|-------|--------------------|-----------------------|
| Attorney                 | 2020  |       | 2021  |       | 2022  |       | 2023  |                    | Lodestar              |
|                          | Rate  | Hours | Rate  | Hours | Rate  | Hours | Rate  | Hours              |                       |
| Kevin Tucker             | \$575 | 8     | \$575 | 35.3  | \$600 | 25.4  | \$600 | 11.1               | \$46,797.50           |
| Kevin Abramowicz         | \$575 | —     | \$575 | 1.5   | \$600 | 1     | \$600 | —                  | \$1,462.50            |
| Chandler Steiger         | —     | —     | \$350 | 53.5  | \$400 | 23.6  | \$425 | 22                 | \$37,515.00           |
| Stephanie Moore          | —     | —     | \$350 | —     | \$400 | 4.4   | \$425 | —                  | \$1,760.00            |
|                          |       |       |       |       |       |       |       | <b>Total Hours</b> | <b>Total Lodestar</b> |
|                          |       |       |       |       |       |       |       | 185.8              | \$87,535.00           |

18. Plaintiff seeks \$73,500.00 as a prevailing party attorneys' fee, which amounts to 83.97% of Class Counsel's lodestar to date.

19. Time sheets reflecting work billed on behalf of Plaintiff and the Settlement Class accompany this declaration.

**COSTS AND EXPENSES**

20. Class Counsel do not seek reimbursement for the costs incurred in this action.

I declare pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: June 6, 2023

*/s/ Kevin W. Tucker*

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Kevin W. Tucker (He/Him) (PA 312144)

**EAST END TRIAL GROUP LLC**

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ktucker@eastendtrialgroup.com

**Class Counsel's Time Sheets**



| Date       | Timekeeper | Task Description  | Hourly Rate (\$) | Hours Worked | Fee (\$)    |
|------------|------------|---|------------------|--------------|-------------|
| 5/5/2020   | K. Tucker  | Review results of end user testing  | \$ 575.00        | 1            | \$ 575.00   |
| 5/5/2020   | K. Tucker  | Draft complaint to be filed in WDPA                                       | \$ 575.00        | 1.0          | \$ 575.00   |
| 5/5/2020   | K. Tucker  | Email to client   | \$ 575.00        | 0.2          | \$ 115.00   |
| 5/5/2020   | K. Tucker  | Email to attorney B. Burns re: complaint                                  | \$ 575.00        | 0.3          | \$ 172.50   |
| 6/23/2020  | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 0.2          | \$ 115.00   |
| 6/23/2020  | K. Tucker  | Review/respond to email from L. Wiener                                    | \$ 575.00        | 0.1          | \$ 57.50    |
| 6/26/2020  | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 0.5          | \$ 287.50   |
| 6/26/2020  | K. Tucker  | Email L. Wiener re conference call  | \$ 575.00        | 0.1          | \$ 57.50    |
| 7/15/2020  | K. Tucker  | Email L. Wiener re conference call  | \$ 575.00        | 0.2          | \$ 115.00   |
| 7/23/2020  | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 0.5          | \$ 287.50   |
| 7/28/2020  | K. Tucker  | FRE 408 email to L. Wiener  | \$ 575.00        | 0.5          | \$ 287.50   |
| 9/9/2020   | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 0.5          | \$ 287.50   |
| 9/16/2020  | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 0.2          | \$ 115.00   |
| 9/23/2020  | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 0.5          | \$ 287.50   |
| 9/23/2020  | K. Tucker  | Review/respond to email from L. Wiener                                    | \$ 575.00        | 0.1          | \$ 57.50    |
| 9/23/2020  | K. Tucker  | Emails to various advocacy organizations re: Notice                       | \$ 575.00        | 0.5          | \$ 287.50   |
| 10/6/2020  | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 1            | \$ 575.00   |
| 10/6/2020  | K. Tucker  | FRE 408 email to L. Wiener  | \$ 575.00        | 0.1          | \$ 57.50    |
| 10/25/2020 | K. Tucker  | Review Mondelez's proposed revisions to individual settlement agreement   | \$ 575.00        | 0.3          | \$ 172.50   |
| 11/6/2020  | K. Tucker  | Review/respond to email from L. Wiener                                    | \$ 575.00        | 0.1          | \$ 57.50    |
| 12/1/2020  | K. Tucker  | FRE 408 email to L. Wiener  | \$ 575.00        | 0.1          | \$ 57.50    |
| 1/11/2021  | K. Tucker  | FRE 408 email to L. Wiener  | \$ 575.00        | 0.1          | \$ 57.50    |
| 1/25/2021  | K. Tucker  | FRE 408 email to L. Wiener  | \$ 575.00        | 0.1          | \$ 57.50    |
| 1/25/2021  | K. Tucker  | Review/respond to email from L. Wiener                                    | \$ 575.00        | 0.1          | \$ 57.50    |
| 1/28/2021  | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 0.7          | \$ 402.50   |
| 2/2/2021   | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 0.5          | \$ 287.50   |
| 2/10/2021  | K. Tucker  | Review/respond to email from L. Wiener                                    | \$ 575.00        | 0.1          | \$ 57.50    |
| 2/23/2021  | K. Tucker  | Review/respond to email from L. Wiener                                    | \$ 575.00        | 0.1          | \$ 57.50    |
| 2/24/2021  | K. Tucker  | Review/respond to email from L. Wiener                                    | \$ 575.00        | 0.1          | \$ 57.50    |
| 2/26/2021  | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 1            | \$ 575.00   |
| 3/3/2021   | K. Tucker  | Review Mondelez's proposed revisions to class action settlement agreement | \$ 575.00        | 2.2          | \$ 1,265.00 |
| 3/3/2021   | K. Tucker  | FRE 408 email to L. Wiener  | \$ 575.00        | 0.1          | \$ 57.50    |
| 3/4/2021   | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 0.5          | \$ 287.50   |
| 3/8/2021   | K. Tucker  | Email C. Steiger and S. Moore re: draft class action settlement agreement | \$ 575.00        | 0.1          | \$ 57.50    |
| 3/10/2021  | K. Tucker  | FRE 408 email to L. Wiener  | \$ 575.00        | 0.2          | \$ 115.00   |
| 3/15/2021  | K. Tucker  | FRE 408 email to L. Wiener  | \$ 575.00        | 0.1          | \$ 57.50    |
| 3/15/2021  | K. Tucker  | Revise draft class action settlement agreement                            | \$ 575.00        | 2.3          | \$ 1,322.50 |
| 3/16/2021  | K. Tucker  | FRE 408 email to L. Wiener  | \$ 575.00        | 0.3          | \$ 172.50   |
| 3/24/2021  | K. Tucker  | Conference call with L. Wiener  | \$ 575.00        | 0.5          | \$ 287.50   |
| 4/27/2021  | K. Tucker  | FRE 408 email to L. Wiener  | \$ 575.00        | 0.1          | \$ 57.50    |
| 5/18/2021  | K. Tucker  | Review Mondelez's proposed revisions to class action settlement agreement | \$ 575.00        | 0.8          | \$ 460.00   |
| 5/18/2021  | K. Tucker  | Review L. Wiener's FRE email  | \$ 575.00        | 0.1          | \$ 57.50    |
| 5/19/2021  | K. Tucker  | Draft class action complaint  | \$ 575.00        | 3            | \$ 1,725.00 |
| 5/27/2021  | K. Tucker  | FRE 408 email to L. Wiener  | \$ 575.00        | 0.1          | \$ 57.50    |
| 5/28/2021  | K. Tucker  | Email to K. Abramowicz re class action settlement agreement               | \$ 575.00        | 0.1          | \$ 57.50    |

|            |               |   |           |     |             |
|------------|---------------|---|-----------|-----|-------------|
| 5/28/2021  | K. Tucker     | Review L. Wiener's FRE email and authorities it cites   | \$ 575.00 | 0.7 | \$ 402.50   |
| 6/3/2021   | K. Tucker     | Email to K. Abramowicz re class action settlement agreement   | \$ 575.00 | 0.1 | \$ 57.50    |
| 6/3/2021   | K. Tucker     | Revise draft class action settlement agreement  | \$ 575.00 | 1   | \$ 575.00   |
| 6/4/2021   | K. Abramowicz | Review and propose revisions to class action settlement agreement   | \$ 575.00 | 1.5 | \$ 862.50   |
| 6/11/2021  | K. Tucker     | Review/respond to email from L. Wiener  | \$ 575.00 | 0.1 | \$ 57.50    |
| 6/15/2021  | K. Tucker     | Review L. Wiener's FRE email and authorities it cites   | \$ 575.00 | 0.5 | \$ 287.50   |
| 6/15/2021  | K. Tucker     | Conversation with client re class action settlement   | \$ 575.00 | 0.5 | \$ 287.50   |
| 6/16/2021  | K. Tucker     | Review/respond to several L. Wiener's FRE emails  | \$ 575.00 | 1.5 | \$ 862.50   |
| 6/28/2021  | K. Tucker     | Conference call with L. Wiener  | \$ 575.00 | 0.5 | \$ 287.50   |
| 6/29/2021  | K. Tucker     | FRE 408 email to L. Wiener  | \$ 575.00 | 0.1 | \$ 57.50    |
| 7/7/2021   | K. Tucker     | FRE 408 email to L. Wiener  | \$ 575.00 | 0.1 | \$ 57.50    |
| 7/8/2021   | K. Tucker     | Review/respond to several L. Wiener's FRE emails  | \$ 575.00 | 0.1 | \$ 57.50    |
| 7/9/2021   | K. Tucker     | Conversation with client re class action settlement   | \$ 575.00 | 0.5 | \$ 287.50   |
| 7/9/2021   | K. Tucker     | FRE 408 email to L. Wiener  | \$ 575.00 | 0.1 | \$ 57.50    |
| 7/22/2021  | K. Tucker     | Review Mondelez's proposed revisions to class action settlement agreement   | \$ 575.00 | 0.3 | \$ 172.50   |
| 8/4/2021   | K. Tucker     | Review Mondelez's proposed revisions to class action settlement agreement, incorporate additional revisions, and circulate to L. Wiener                         | \$ 575.00 | 1.5 | \$ 862.50   |
| 8/25/2021  | K. Tucker     | Conference call with L. Wiener  | \$ 575.00 | 0.4 | \$ 230.00   |
| 9/16/2021  | K. Tucker     | FRE 408 email to L. Wiener  | \$ 575.00 | 0.1 | \$ 57.50    |
| 9/27/2021  | K. Tucker     | Review Mondelez's proposed revisions to class action settlement agreement   | \$ 575.00 | 0.6 | \$ 345.00   |
| 9/27/2021  | K. Tucker     | FRE 408 email to L. Wiener  | \$ 575.00 | 0.2 | \$ 115.00   |
| 10/1/2021  | K. Tucker     | Email to C. Steiger re agreement, complaint   | \$ 575.00 | 0.2 | \$ 115.00   |
| 10/4/2021  | K. Tucker     | Revise draft class action settlement agreement and circulate to L. Wiener   | \$ 575.00 | 1.4 | \$ 805.00   |
| 10/4/2021  | K. Tucker     | Review/respond to FRE 408 emails from L. Wiener   | \$ 575.00 | 0.2 | \$ 115.00   |
| 10/6/2021  | K. Tucker     | Review/respond to several emails from L. Wiener re Notice   | \$ 575.00 | 1.3 | \$ 747.50   |
| 10/8/2021  | K. Tucker     | Review C. Steiger revisions to draft settlement agreement   | \$ 575.00 | 0.5 | \$ 287.50   |
| 10/12/2021 | K. Tucker     | Conference call with L. Wiener  | \$ 575.00 | 0.5 | \$ 287.50   |
| 10/15/2021 | K. Tucker     | FRE 408 email to L. Wiener  | \$ 575.00 | 0.2 | \$ 115.00   |
| 10/26/2021 | K. Tucker     | FRE 408 email to L. Wiener  | \$ 575.00 | 0.2 | \$ 115.00   |
| 10/27/2021 | C. Steiger    | Prepared plaintiff's motion for class certification and preliminary approval, supporting memorandum, notice, and notice plan; edited class settlement agreement | \$ 350.00 | 1.3 | \$ 455.00   |
| 10/27/2021 | K. Tucker     | Circulate proposed final agreement to L. Wiener   | \$ 575.00 | 0.4 | \$ 230.00   |
| 10/27/2021 | K. Tucker     | Email C. Steiger re: motion for preliminary approval and supporting documents   | \$ 575.00 | 0.3 | \$ 172.50   |
| 10/28/2021 | C. Steiger    | Prepared plaintiff's motion for class certification and preliminary approval, supporting memorandum, notice, and notice plan; edited class settlement agreement | \$ 350.00 | 4.9 | \$ 1,715.00 |
| 11/17/2021 | C. Steiger    | Prepared plaintiff's motion for class certification and preliminary approval, supporting memorandum, notice, and notice plan; edited class settlement agreement | \$ 350.00 | 4.2 | \$ 1,470.00 |
| 11/18/2021 | C. Steiger    | Prepared plaintiff's motion for class certification and preliminary approval, supporting memorandum, notice, and notice plan; edited class settlement agreement | \$ 350.00 | 7.1 | \$ 2,485.00 |

|            |            |  |           |     |             |
|------------|------------|--|-----------|-----|-------------|
| 11/19/2021 | C. Steiger | Prepared plaintiff's motion for class certification and preliminary approval, supporting memorandum, notice, and notice plan; edited class settlement agreement  | \$ 350.00 | 6.5 | \$ 2,275.00 |
| 11/19/2021 | K. Tucker  | Review C. Steiger revisions to draft settlement agreement  | \$ 575.00 | 0.2 | \$ 115.00   |
| 11/30/2021 | C. Steiger | Prepared plaintiff's motion for class certification and preliminary approval, supporting memorandum, notice, and notice plan; edited class settlement agreement  | \$ 350.00 | 3.3 | \$ 1,155.00 |
| 12/1/2021  | C. Steiger | Proofread and citechecked memorandum in support of plaintiff's motion for class certification and preliminary approval   | \$ 350.00 | 7.3 | \$ 2,555.00 |
| 12/2/2021  | C. Steiger | Proofread and citechecked memorandum in support of plaintiff's motion for class certification and preliminary approval   | \$ 350.00 | 4.9 | \$ 1,715.00 |
| 12/3/2021  | C. Steiger | Proofread, citechecked, and prepared table of contents and table of authorities for memorandum in support of plaintiff's motion for class certification and preliminary approval   | \$ 350.00 | 7.7 | \$ 2,695.00 |
| 12/4/2021  | C. Steiger | Proofread plaintiff's motion for class certification and preliminary approval, supporting memorandum, notice, and notice plan; conducted legal research regarding requisite notice of settlement pursuant to Rule 23(e), and edited related section of supporting memorandum | \$ 350.00 | 5.1 | \$ 1,785.00 |
| 12/4/2021  | K. Tucker  | Review and revise draft motion for preliminary approval, supporting brief, notice, and notice plan   | \$ 575.00 | 1   | \$ 575.00   |
| 12/6/2021  | K. Tucker  | Review C. Steiger email re notice and Manual for Complex Litigation  | \$ 575.00 | 0.2 | \$ 115.00   |
| 12/7/2021  | K. Tucker  | Review proposed revisions to class action settlement agreement   | \$ 575.00 | 0.3 | \$ 172.50   |
| 12/8/2021  | K. Tucker  | Circulate proposed final agreement to L. Wiener  | \$ 575.00 | 0.3 | \$ 172.50   |
| 12/9/2021  | C. Steiger | Made final edits to memorandum in support of plaintiff's motion for class certification and preliminary approval   | \$ 350.00 | 1.2 | \$ 420.00   |
| 12/9/2021  | K. Tucker  | Review and revise draft motion for preliminary approval, supporting brief, notice, and notice plan   | \$ 575.00 | 4.5 | \$ 2,587.50 |
| 12/9/2021  | K. Tucker  | Circulate draft motion for preliminary approval and supporting docs to L. Wiener to determine whether Defendant opposes relief sought  | \$ 575.00 | 0.3 | \$ 172.50   |
| 12/9/2021  | K. Tucker  | Email to C. Steiger and S. Moore re motion for preliminary approval and supporting documents   | \$ 575.00 | 0.2 | \$ 115.00   |
| 12/9/2021  | K. Tucker  | Review/revise brief in support of preliminary approval   | \$ 575.00 | 0.7 | \$ 402.50   |
| 12/9/2021  | K. Tucker  | Review C. Steiger's edits to brief in support of preliminary approval  | \$ 575.00 | 0.2 | \$ 115.00   |
| 1/12/2022  | K. Tucker  | FRE 408 email to L. Wiener   | \$ 600.00 | 0.1 | \$ 60.00    |
| 1/25/2022  | K. Tucker  | FRE 408 email to L. Wiener   | \$ 600.00 | 0.1 | \$ 60.00    |
| 2/9/2022   | K. Tucker  | FRE 408 email to L. Wiener   | \$ 600.00 | 0.1 | \$ 60.00    |
| 2/15/2022  | K. Tucker  | FRE 408 email to L. Wiener   | \$ 600.00 | 0.1 | \$ 60.00    |
| 3/2/2022   | K. Tucker  | FRE 408 email to L. Wiener   | \$ 600.00 | 0.1 | \$ 60.00    |
| 4/5/2022   | K. Tucker  | Review/respond to email from L. Wiener re opt-outs   | \$ 600.00 | 0.2 | \$ 120.00   |
| 4/15/2022  | K. Tucker  | Review email from L. Wiener  | \$ 600.00 | 0.1 | \$ 60.00    |
| 5/2/2022   | K. Tucker  | Review L. Wiener email re proposed edits to class action settlement agreement  | \$ 600.00 | 0.1 | \$ 60.00    |

|           |               |  |           |     |             |
|-----------|---------------|--|-----------|-----|-------------|
| 5/2/2022  | K. Tucker     | Review L. Wiener's proposed edits to class action settlement agreement; propose additional revisions | \$ 600.00 | 0.5 | \$ 300.00   |
| 5/2/2022  | K. Tucker     | FRE 408 email to L. Wiener   | \$ 600.00 | 0.1 | \$ 60.00    |
| 5/13/2022 | K. Tucker     | Revise draft class action settlement agreement   | \$ 600.00 | 1.5 | \$ 900.00   |
| 5/13/2022 | K. Tucker     | FRE 408 email to L. Wiener   | \$ 600.00 | 0.5 | \$ 300.00   |
| 5/17/2022 | K. Tucker     | Review L. Wiener email re proposed edits to class action settlement agreement                        | \$ 600.00 | 0.1 | \$ 60.00    |
| 5/17/2022 | K. Tucker     | Revise draft class action settlement agreement; FRE 408 email to L. Wiener                           | \$ 600.00 | 0.3 | \$ 180.00   |
| 6/2/2022  | K. Tucker     | Review L. Wiener email re complaint  | \$ 600.00 | 0.1 | \$ 60.00    |
| 6/13/2022 | K. Tucker     | Email to L. Wiener re complaint  | \$ 600.00 | 0.1 | \$ 60.00    |
| 6/14/2022 | K. Tucker     | Review updated accessibility testing for complaint   | \$ 600.00 | 1.5 | \$ 900.00   |
| 6/14/2022 | K. Tucker     | Independently test accessibility of defendant's websites on VoiceOver, TalkBack, and JAWS            | \$ 600.00 | 2   | \$ 1,200.00 |
| 6/14/2022 | K. Tucker     | Draft accessibility barrier language for class action complaint                                      | \$ 600.00 | 1.2 | \$ 720.00   |
| 6/14/2022 | K. Tucker     | Prepare class action complaint   | \$ 600.00 | 2   | \$ 1,200.00 |
| 6/14/2022 | K. Tucker     | Email client re status update  | \$ 600.00 | 0.3 | \$ 180.00   |
| 6/16/2022 | K. Tucker     | Email to L. Wiener re complaint, summons, an waiver  | \$ 600.00 | 0.3 | \$ 180.00   |
| 6/22/2022 | C. Steiger    | Made edits to Class Action Settlement Agreement and Long Form Notice (attached to CASA)              | \$ 400.00 | 2.4 | \$ 960.00   |
| 6/23/2022 | C. Steiger    | Made edits to Class Action Settlement Agreement; proofread same; updated table of contents           | \$ 400.00 | 7.3 | \$ 2,920.00 |
| 6/23/2022 | K. Tucker     | Review C. Steiger's proposed revisions to class action settlement agreement and email                | \$ 600.00 | 0.2 | \$ 120.00   |
| 6/27/2022 | K. Tucker     | Emails to/from L. Wiener re case management  | \$ 600.00 | 0.2 | \$ 120.00   |
| 6/28/2022 | K. Tucker     | Conference call with L. Wiener   | \$ 600.00 | 0.5 | \$ 300.00   |
| 6/29/2022 | K. Tucker     | File and save ECF 5, Waiver of Service   | \$ 600.00 | 0.2 | \$ 120.00   |
| 8/22/2022 | K. Tucker     | Email to K. Abramowicz re class action settlement agreement  | \$ 600.00 | 0.3 | \$ 180.00   |
| 8/23/2022 | K. Abramowicz | Review and propose revisions to class action settlement agreement                                    | \$ 600.00 | 1   | \$ 600.00   |
| 8/23/2022 | K. Tucker     | Review K. Abramowicz revisions to class action settlement agreement                                  | \$ 600.00 | 0.3 | \$ 180.00   |
| 8/23/2022 | K. Tucker     | FRE 408 email to L. Wiener   | \$ 600.00 | 0.8 | \$ 480.00   |
| 8/24/2022 | C. Steiger    | Reviewed K. Tucker's edits to plaintiff's class certification and preliminary approval memorandum    | \$ 400.00 | 1.4 | \$ 560.00   |
| 8/24/2022 | C. Steiger    | Made additional edits to plaintiff's class certification and preliminary approval memorandum         | \$ 400.00 | 0.6 | \$ 240.00   |
| 8/24/2022 | K. Tucker     | Review C. Steiger's proposed revisions to class action settlement agreement and email                | \$ 600.00 | 0.3 | \$ 180.00   |
| 8/24/2022 | K. Tucker     | FRE 408 email to L. Wiener   | \$ 600.00 | 0.1 | \$ 60.00    |
| 8/24/2022 | K. Tucker     | Draft a motion to stay and circulate to L. Wiener for review/revision                                | \$ 600.00 | 0.3 | \$ 180.00   |
| 8/30/2022 | K. Tucker     | File and save ECF 6, Motion to Stay  | \$ 600.00 | 0.2 | \$ 120.00   |
| 8/31/2022 | K. Tucker     | File and save ECF 7, Order on Motion to Stay   | \$ 600.00 | 0.1 | \$ 60.00    |
| 9/8/2022  | K. Tucker     | Email to L. Wiener re execution  | \$ 600.00 | 0.1 | \$ 60.00    |
| 9/20/2022 | K. Tucker     | Email to L. Wiener re execution  | \$ 600.00 | 0.1 | \$ 60.00    |
| 9/26/2022 | K. Tucker     | Email to L. Wiener re execution  | \$ 600.00 | 0.1 | \$ 60.00    |
| 9/26/2022 | K. Tucker     | Conference call with L. Wiener   | \$ 600.00 | 0.4 | \$ 240.00   |
| 9/27/2022 | K. Tucker     | FRE 408 email to L. Wiener   | \$ 600.00 | 0.6 | \$ 360.00   |
| 10/7/2022 | K. Tucker     | FRE 408 email to L. Wiener   | \$ 600.00 | 0.1 | \$ 60.00    |

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| 10/11/2022 | K. Tucker  | FRE 408 email to L. Wiener  | \$ 600.00 | 0.1 | \$ 60.00    |
| 10/13/2022 | K. Tucker  | Email final set of proposed revisions to L. Wiener  | \$ 600.00 | 0.2 | \$ 120.00   |
| 10/13/2022 | K. Tucker  | Prepare and file Status Report  | \$ 600.00 | 0.4 | \$ 240.00   |
| 10/14/2022 | C. Steiger | Made additional edits to plaintiff's class certification and preliminary approval memorandum  | \$ 400.00 | 5   | \$ 2,000.00 |
| 10/17/2022 | C. Steiger | Made additional edits to plaintiff's class certification and preliminary approval memorandum; emailed updated version to K. Tucker for review | \$ 400.00 | 6.9 | \$ 2,760.00 |
| 10/20/2022 | K. Tucker  | Email to L. Wiener re execution   | \$ 600.00 | 0.1 | \$ 60.00    |
| 10/24/2022 | K. Tucker  | Email to L. Wiener re execution   | \$ 600.00 | 0.1 | \$ 60.00    |
| 10/26/2022 | K. Tucker  | Email to L. Wiener re execution   | \$ 600.00 | 0.1 | \$ 60.00    |
| 10/27/2022 | K. Tucker  | Prepare and file Status Report  | \$ 600.00 | 0.3 | \$ 180.00   |
| 10/27/2022 | K. Tucker  | Forward ECF 11, Order on Status Report, to L. Wiener  | \$ 600.00 | 0.1 | \$ 60.00    |
| 11/9/2022  | K. Tucker  | Email to L. Wiener re execution   | \$ 600.00 | 0.1 | \$ 60.00    |
| 11/10/2022 | K. Tucker  | Discussion with client re settlement agreement and execution  | \$ 600.00 | 0.5 | \$ 300.00   |
| 11/10/2022 | K. Tucker  | Download and save fully executed class action settlement agreement  | \$ 600.00 | 0.1 | \$ 60.00    |
| 11/11/2022 | K. Tucker  | Circulate fully executed agreement to L. Wiener   | \$ 600.00 | 0.1 | \$ 60.00    |
| 11/17/2022 | S. Moore   | Review and revise motion for preliminary approval and supporting documents  | \$ 400.00 | 4.1 | \$ 1,640.00 |
| 11/17/2022 | K. Tucker  | 408 email to L. Wiener  | \$ 600.00 | 0.1 | \$ 60.00    |
| 11/17/2022 | K. Tucker  | Review, revise, and file Motion for Preliminary Approval and supporting documents, including brief, PO, notice plan, long form notice         | \$ 600.00 | 3.5 | \$ 2,100.00 |
| 11/18/2022 | S. Moore   | Update resume to be submitted with motion for preliminary approval  | \$ 400.00 | 0.3 | \$ 120.00   |
| 11/18/2022 | K. Tucker  | Review, revise, and file Motion for Preliminary Approval and supporting documents, including brief, PO, notice plan, long form notice         | \$ 600.00 | 3.0 | \$ 1,800.00 |
| 11/18/2022 | K. Tucker  | Save ECFs 12 and 13, Motion for Preliminary Approval and supporting documents   | \$ 600.00 | 0.2 | \$ 120.00   |
| 12/15/2022 | K. Tucker  | Email to L. Wiener re Defendant's response to Motion for Preliminary Approval   | \$ 600.00 | 0.1 | \$ 60.00    |
| 1/4/2023   | K. Tucker  | Email to L. Wiener re Defendant's response to Motion for Preliminary Approval   | \$ 600.00 | 0.1 | \$ 60.00    |
| 1/12/2023  | K. Tucker  | Email to L. Wiener re Defendant's response to Motion for Preliminary Approval   | \$ 600.00 | 0.1 | \$ 60.00    |
| 1/12/2023  | K. Tucker  | Prepare a joint notice indicating Defendant's position as to the Motion for Preliminary Approval  | \$ 600.00 | 0.3 | \$ 180.00   |
| 1/23/2023  | K. Tucker  | Email to L. Wiener re joint notice  | \$ 600.00 | 0.1 | \$ 60.00    |
| 1/31/2023  | K. Tucker  | Email to L. Wiener re joint notice  | \$ 600.00 | 0.1 | \$ 60.00    |
| 2/15/2023  | K. Tucker  | Conference call with L. Wiener  | \$ 600.00 | 0.3 | \$ 180.00   |
| 2/15/2023  | K. Tucker  | Email to L. Wiener and K. Kochis re joint notice  | \$ 600.00 | 0.1 | \$ 60.00    |
| 3/16/2023  | K. Tucker  | Conference call with L. Wiener  | \$ 600.00 | 0.9 | \$ 540.00   |
| 4/13/2023  | K. Tucker  | Review and save ECF 16, Order granting Motion for Preliminary Approval  | \$ 600.00 | 0.2 | \$ 120.00   |
| 4/27/2023  | K. Tucker  | Review email from C. Steiger re Mondelez deadlines  | \$ 600.00 | 0.3 | \$ 180.00   |
| 4/27/2023  | K. Tucker  | Conference call with L. Wiener  | \$ 600.00 | 0.5 | \$ 300.00   |

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| 4/28/2023 | C. Steiger | Drafted email to L. Wiener and K. Tucker concerning upcoming notice deadlines and obligations; provided advocacy organization contact information, example of prior communication to advocacy organization, long form notice with objection deadline and final fairness hearing date included, and pdf documents that must be posted on settlement website; tested long form notice with screen reader to ensure accessibility | \$ 425.00 | 2.3 | \$ | 977.50   |
| 5/3/2023  | C. Steiger | Reviewed email from L. Wiener concerning settlement website; compiled final word document versions of documents to be posted on settlement website; drafted and sent email to L. Wiener and K. Tucker attaching same and addressing other notice-related issue   | \$ 425.00 | 1.2 | \$ | 510.00   |
| 5/3/2023  | K. Tucker  | Review Defendant's draft motion for enlargement of time  | \$ 600.00 | 0.1 | \$ | 60.00    |
| 5/3/2023  | K. Tucker  | Review Defendant's draft email to advocacy organizations   | \$ 600.00 | 0.1 | \$ | 60.00    |
| 5/3/2023  | K. Tucker  | Review C. Steiger's proposed revisions to Defendant's email to advocacy organizations  | \$ 600.00 | 0.1 | \$ | 60.00    |
| 5/3/2023  | K. Tucker  | Emails to/from L. Wiener and C. Steiger re settlement website  | \$ 600.00 | 0.3 | \$ | 180.00   |
| 5/3/2023  | K. Tucker  | Emails to/from L. Wiener re CAFA notice  | \$ 600.00 | 0.3 | \$ | 180.00   |
| 5/10/2023 | C. Steiger | Reviewed beta settlement website and documents available thereon; drafted multiple emails to L. Wiener concerning beta settlement website and issues to be corrected before official launch  | \$ 425.00 | 1.6 | \$ | 680.00   |
| 5/10/2023 | K. Tucker  | Discussions with C. Steiger re settlement website  | \$ 600.00 | 0.5 | \$ | 300.00   |
| 5/10/2023 | K. Tucker  | Review C. Steiger email re notice website  | \$ 600.00 | 0.3 | \$ | 180.00   |
| 5/11/2023 | K. Tucker  | Review C. Steiger email re notice website  | \$ 600.00 | 0.1 | \$ | 60.00    |
| 5/12/2023 | K. Tucker  | Review L. Wiener email to advocacy organizations   | \$ 600.00 | 0.2 | \$ | 120.00   |
| 5/31/2023 | C. Steiger | Drafted Plaintiff's Unopposed Motion For Certification Of The Settlement Class And Final Approval Of The Class Action Settlement   | \$ 425.00 | 0.8 | \$ | 340.00   |
| 5/31/2023 | C. Steiger | Drafted Order Granting Plaintiff's Unopposed Motion For Certification Of The Settlement Class And Final Approval Of The Class Action Settlement  | \$ 425.00 | 1.4 | \$ | 595.00   |
| 6/1/2023  | C. Steiger | Drafted Memorandum In Support Of Plaintiff's Unopposed Motion For Certification Of The Settlement Class And Final Approval Of The Class Action Settlement  | \$ 425.00 | 4.2 | \$ | 1,785.00 |
| 6/1/2023  | C. Steiger | Drafted email to K. Tucker concerning final approval motion, order, and memorandum, and emailed motion, order, and memorandum to K. Tucker for review  | \$ 425.00 | 0.4 | \$ | 170.00   |
| 6/2/2023  | C. Steiger | Drafted Plaintiff's Unopposed Motion For Attorneys' Fees And Incentive Award   | \$ 425.00 | 0.4 | \$ | 170.00   |
| 6/2/2023  | C. Steiger | Drafted Order Granting Plaintiff's Unopposed Motion For Attorneys' Fees And Incentive Award  | \$ 425.00 | 0.8 | \$ | 340.00   |
| 6/2/2023  | C. Steiger | Drafted Declaration Of Kevin Tucker  | \$ 425.00 | 1.8 | \$ | 765.00   |
| 6/2/2023  | K. Tucker  | Email to L. Wiener re Motion for Final Approval  | \$ 600.00 | 0.1 | \$ | 60.00    |
| 6/4/2023  | K. Tucker  | Review and revise draft motion for final approval, supporting brief, and proposed order  | \$ 600.00 | 1.5 | \$ | 900.00   |
| 6/4/2023  | K. Tucker  | Review and revise motion for fees, proposed order, Tucker declaration  | \$ 600.00 | 0.7 | \$ | 420.00   |

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| 6/4/2023 | K. Tucker  | Email L. Wiener and C. Steiger re brief in support of final approval  | \$ 600.00 | 0.1   | \$ 60.00     |
| 6/5/2023 | C. Steiger | Drafted Memorandum In Support Of Plaintiff's Unopposed Motion For Attorneys' Fees And Incentive Award   | \$ 425.00 | 4.1   | \$ 1,742.50  |
| 6/5/2023 | C. Steiger | Finalized Plaintiff's Unopposed Motion For Certification Of The Settlement Class And Final Approval Of The Class Action Settlement for filing; finalized Order Granting Plaintiff's Unopposed Motion For Certification Of The Settlement Class And Final Approval Of The Class Action Settlement for filing | \$ 425.00 | 0.3   | \$ 127.50    |
| 6/5/2023 | C. Steiger | Created table of contents and table of authorities for Memorandum In Support Of Plaintiff's Unopposed Motion For Certification Of The Settlement Class And Final Approval Of The Class Action Settlement; finalized same for filing   | \$ 425.00 | 1.2   | \$ 510.00    |
| 6/5/2023 | C. Steiger | Filed Plaintiff's Unopposed Motion For Certification Of The Settlement Class And Final Approval Of The Class Action Settlement and related documents  | \$ 425.00 | 0.2   | \$ 85.00     |
| 6/5/2023 | K. Tucker  | Review and revise draft motion for fees, supporting brief, and declaration  | \$ 600.00 | 2     | \$ 1,200.00  |
| 6/5/2023 | K. Tucker  | Review/respond to emails from L. Wiener re motion for final approval and motion for fees  | \$ 600.00 | 0.2   | \$ 120.00    |
| 6/6/2023 | C. Steiger | Edited and finalized Plaintiff's Unopposed Motion For Attorneys' Fees And Incentive Award for filing; edited and finalized Order Granting Plaintiff's Unopposed Motion For Attorneys' Fees And Incentive Award for filing   | \$ 425.00 | 0.2   | \$ 85.00     |
| 6/6/2023 | C. Steiger | Created table of contents and table of authorities for Memorandum In Support Of Plaintiff's Unopposed Motion For Attorneys' Fees And Incentive Award  | \$ 425.00 | 1.1   | \$ 467.50    |
| 6/6/2023 | K. Tucker  | Review and revise draft motion for fees, supporting brief, and declaration  | \$ 600.00 | 1.5   | \$ 900.00    |
|          |            |   |           | 185.8 | \$ 87,535.00 |