

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Craftwood Lumber Company, on behalf of
itself and all others similarly situated,

Plaintiff,

v.

Senco Brands, Inc.,

Defendant.

Case No. 1:14-cv-06866

Hon. John Robert Blakey

Motion for Award of Attorneys' Fees and Reimbursement of Expenses

To All Parties and Their Respective Attorneys of Record:

Plaintiff Craftwood Lumber Company and Class Counsel hereby move for entry of an order granting attorneys' fees in the amount of \$983,333, to be allocated among Class Counsel and Scott Zimmermann in accordance with the parties' co-counsel agreements.

This total attorneys' fee request represents one third of the \$3 million common fund after settlement administration expenses of \$50,000 are deducted. Craftwood and Class Counsel also respectfully request reimbursement of expenses in the amount of \$59,357, plus additional expenses that will be incurred through the conclusion of this action, in an amount not to exceed \$2,000.

This motion will be made on the grounds that:

1. Class Counsel are entitled to recover a reasonable attorneys' fee from the common fund created by their efforts;
2. The requested attorneys' fee is well justified under the standards of the Seventh Circuit because it is at the low end of the "market" rate for similar contingent legal services; it is in line with fee awards in comparable junk fax class settlements; it is justified by the substantial value Class Counsel obtained for the class; and it is supported by the considerable risks Class Counsel assumed in bringing this case. Additionally, a lodestar cross-check fully supports the requested fee because the request amounts to about 73 percent of the combined lodestar of all attorneys.
3. Class Counsel reasonably have incurred expenses of \$59,357 to date and will incur another \$2,000 through the conclusion of this action, which they are entitled to recover from the common fund.

The motion is based on the accompanying Memorandum in Support of Motion for Attorneys' Fees and Reimbursement of Expenses; the Declarations of C. Darryl Cordero, Scott Z. Zimmermann, Frank Owen, Charles Watkins, and Philip K. Lem, the pleadings and papers filed in this case; and on such further briefs and argument of counsel that will be received before or during the hearing on the motion.

DATED: April 5, 2017

PAYNE & FEARS LLP

By: /s/C. Darryl Cordero
C. Darryl Cordero
Attorneys for Prelimarily Appointed Class
Representative/Plaintiff Craftwood Lumber
Company, and for the Prelimarily Certified
Settlement Class

CERTIFICATE OF SERVICE

The undersigned, an attorney, states that on this fifth day of April, 2017, he caused the foregoing **Motion for Award of Attorneys' Fees and Reimbursement of Expenses** to be filed electronically with the Clerk of Court using the CM/ECF system, and which will send electronic notification to the following:

Matthew K. Brown
jhoke@paynefears.com,
ir.courtnotices@paynefears.com,
mkb@paynefears.com

Daniel F. Lula
df1@paynefears.com

Scott O. Luskin
sol@paynefears.com
pdavid@paynefears.com

Joshua Briones
lalocke@blankrome.com,
jbriones@blankrome.com

Charles Robert Watkins
twilson@gseattorneys.com,
charlesw@gseattorneys.com

Frank F. Owen
ffo@castlepalms.com

Ana Tagvoryan
sbrockway@blankrome.com,
atagvoryan@blankrome.com

Stephen W. Heil
swh@crayhuber.com,
anthony@crayhuber.com,
agatha@crayhuber.com

Jeffrey N. Rosenthal
rosenthal-j@blankrome.com

Zachary Gordon Shook
zgs@crayhuber.com

/s/ C. Darryl Cordero

C. Darryl Cordero