

IN THE CIRCUIT COURT FOR BALTIMORE CITY

ROBERT F. CHERRY, JR., <i>et al.</i>)	
)	
Plaintiffs,)	
)	
v.)	Civil No. 24-C-16-004670
)	
MAYOR AND CITY COUNCIL)	
OF BALTIMORE CITY)	
)	
Defendant.)	

ORDER

This Court having considered Class Counsel’s Application for an Award of Attorneys’ Fees, Costs and Expenses for Class Counsel, and Incentive Award for Class Representative Houser; and having considered Klausner and Kaufman, Jensen & Levinson, counsel for Baltimore Fire Officers, Local 964 IAFF, Application for an Award of Attorneys’ Fees on behalf of its client (together, “Attorney Fee Applications”); and having considered the Joint Memorandum in Support of Request for Approval of Awards for Attorneys’ Fees and Costs and Expenses, and Class Representative Incentive Award and Request to Disburse Damage Awards; and having received no properly and timely filed objection from any individual class member entitled to a cash award (“Individual Class Member”), it is this 23rd day of November, 2021, the Circuit Court for Baltimore City, in accordance with the accompanying Memorandum Opinion issued on even date herewith,

FOUND that Notice to Individual Class Members of the Attorney Fee Applications and Class Representative incentive award was reasonable and adequate; and it further

ORDERED that the Class Counsel’s Application for an Award of Attorneys’ Fees, Costs and Expenses for Class Counsel is **GRANTED** and Class Counsel is **AWARDED** attorneys’

fees in the amount of 15% of the total class award, plus post-judgment interest, or \$5,292,148.54, and costs and expenses in the amount of \$3,005,178.40; and it is further

ORDERED that Class Counsel's request for an incentive award of \$10,000 for class representative Houser is **GRANTED**; and it is further

ORDERED that the Klausner, Kaufman, Jensen & Levinson's (KKJL) Application for an award of attorneys' fees for the benefit of Baltimore Fire Officers, Local 964, IAFF, is **GRANTED** and KKJL is **AWARDED** attorneys' fees in the amount of 3% of the total class award, plus post-judgment interest, or \$1,058,429.7; and it is further

ORDERED that the following process is **APPROVED** for issuance of the final award payments to Individual Class Members ("Final Awards"):

1. Class Counsel shall compute the final amount of net awards due Individual Class Members by deducting on a *pro rata* basis the total amount of any Class Representative Incentive award and any award of attorneys' fees and costs and expenses ("Attorney Fee Award") approved by the Court and provide a spreadsheet to SSI of the final net awards ("Final Awards") to be paid to each Individual Class Member.
2. SSI shall issue checks in the amounts of the Final Awards to the Individual Class Members ("Award Check").
3. SSI shall mail the Award Check to the last known mailing address for each Individual Class Members now known to SSI.
4. Class Counsel shall direct SSI to post to the class action website, BaltimorePensionLitigation.com, the spreadsheet informing Individual Class Members of the amount of the Final Awards, which posting shall be maintained until 180 days after issuance of Award Checks.

5. If SSI is notified that an Individual Class Member has passed away, SSI shall reissue the Award Check made payable to the “Estate of [deceased Individual Class Member].”
6. If an estate has not yet been opened or was previously closed, SSI shall instruct the individual claiming right to the Award Check to open or reopen an estate.
7. If an Award Check is not cashed within one hundred eighty (180) days of the date of issuance, SSI will issue a stop payment on the Award Check. The unclaimed award will be escheated to the Comptroller of Maryland as the custodian of unclaimed property in accordance with Maryland law; and it is further

ORDERED that Settlement Services, Inc., the third-party claims administrator, is **DIRECTED** to disburse payments from the common fund in accordance with this Order.

SO ORDERED:

[SIGNATURE OF JUDGE APPEARS ON ORIGINAL]

Judge Julie R. Rubin
Circuit Court for Baltimore City

Madam Clerk: Please mail copies to all counsel and named parties of record.