

STATE OF NORTH CAROLINA
COUNTY OF JONES

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE No.: 21 CVS 134-510

CAROLINA LEASE)
MANAGEMENT GROUP, LLC,)

Plaintiff,)

v.)

CHARLES GREENE,)

Defendant.)

CHARLES D. GREENE, *on behalf*)
of himself and all others)
similarly situated,)

Counterclaimant,)

v.)

CAROLINA LEASE)
MANAGEMENT GROUP, LLC,)

Counterclaim Defendant.)

**COUNTERCLAIM-
PLAINTIFF'S
MOTION FOR ATTORNEYS'
FEES, COSTS, AND
SERVICE AWARD FOR
CLASS REPRESENTATIVE**

NOW COMES Defendant and Counterclaim Plaintiff Charles D. Greene (hereinafter Counterclaim Plaintiff or Plaintiff), by and through counsel and pursuant to Rule 23 of the North Carolina Rules of Civil Procedure, and respectfully moves this Court for a Fee and Costs Award to Class Counsel and an Award to the Class Representative in accordance with the Settlement Agreement and Release previously filed in this action and as described more fully in the Memorandum of

12/18/2025

Electronically Filed Date: 12/18/2025 1:06 PM Jones Superior Court County Clerk of Superior Court

Law filed in support of this Motion. Counterclaim Plaintiff moves this Court as follows:

1. Counterclaim Plaintiff requests fees and costs equivalent to Thirty-Three Percent (33%) of the Settlement Fund of \$1,001,671.13 as provided for in the Settlement Agreement totaling \$330,551.47.

2. Counterclaim Plaintiff further moves this Court to grant a Service Award to the Class Representative Charles Greene in the amount of at least \$10,000.00 as provided for in the Settlement Agreement previously filed with this Court.

3. Counterclaim Plaintiff incorporates the Declarations of Counsel Charles M. Delbaum and Adrian M. Lapas in support of Movant's request for an award of fees and costs attached hereto as Exhibit 1 to this Motion.

4. Counterclaim Plaintiff incorporates the Declaration of Adrian M. Lapas in support of Movant's request for a Service Award for the Class Representative attached hereto as Exhibit 2 to this Motion.

5. Settling Counterclaim Defendant Carolina Lease Management Group, LLC does not oppose this motion.

6. The basis for this Motion is set forth in the Memorandum of Law filed contemporaneously hereto.

WHEREFORE, Counterclaim Plaintiff respectfully prays this Court for the following relief:

1. That this Court grant the Unopposed Motion for Fees and Costs in this matter and award attorney fees and costs of \$330,551.47;

2. That this Court award the Class Representative a Service Award of \$10,000.00; and

3. For such other and further relief as this Court deems just and proper.

This the 18th day of December, 2025.

LAPAS LAW OFFICES, PLLC

By: s/ Adrian M. Lapas
Adrian M. Lapas
Attorney for Counterclaim-
Plaintiff
Post Office Box 10688
Goldsboro, NC 27532
Telephone: (919) 583-5400
Facsimile: (919) 882-1777
N.C. State Bar No.: 20022
Email: adrian@lapaslaw.com

NATIONAL CONSUMER LAW CENTER

By: s/ Jennifer S. Wagner
Jennifer S. Wagner
W.V. Bar No. 10639

By: s. Charles M. Delbaum
Charles M. Delbaum
Mass. Bar No. 543225
7 Winthrop Square
Boston, MA 02110
Telephone: (617) 226 0313
Facsimile: (617) 542-8028
Email: jwagner@nclc.org
Admitted *Pro Hac Vice*

CERTIFICATE OF SERVICE

The undersigned does hereby certify that the foregoing COUNTERCLAIM PLAINTIFF'S UNOPPOSED MOTION FOR ATTORNEY'S FEES, COSTS AND SERVICE AWARD FOR CLASS REPRESENTATIVE was served by, unless an alternative method is specified below, depositing a copy of the foregoing in the care and custody of the United States Postal Service, first-class postage pre-paid and addressed to the party or counsel for party as follows:

Mr. Jonathan Williams
Mr. Craig Martin
Cedar Grove Law
Post Office Box 1389
Hillsborough, NC 27278
(Via email per counsel's request)

This the 18th day of December, 2025.

LAPAS LAW OFFICES, PLLC

By: s/ Adrian M. Lapas
Adrian M. Lapas
Attorney for Counterclaim-
Plaintiff

EXHIBIT 1

Declaration of Counsel in Support
of Attorneys' Fees and Costs

STATE OF NORTH CAROLINA
COUNTY OF JONES

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE No.: 21 CvS 134-510

CAROLINA LEASE)
MANAGEMENT GROUP, LLC,)

Plaintiff,)

v.)

CHARLES GREENE,)

Defendant.)

CHARLES D. GREENE, *on behalf*)
of himself and all others)
similarly situated,)

Counterclaimant,)

v.)

CAROLINA LEASE)
MANAGEMENT GROUP, LLC,)

Counterclaim Defendant.)

**DECLARATION OF COUNSEL
CHARLES M. DELBAUM
IN SUPPORT OF MOTION
FOR ATTORNEYS' FEES
AND COSTS**

I, Charles Delbaum, declare:

1. My background and the background of my co-counsel in this matter are set forth in our declarations attached to the Motion for Preliminary Approval in this matter.

2. On behalf of the National Consumer Law Center (NCLC), both I, and starting in 2024, my colleague Jennifer Wagner, have served as counsel on this matter, together with Adrian Lapas. Other members of the NCLC legal team have

spent time supporting this litigation, but their time has not been included in the lodestar calculation provided to this Court.

3. NCLC has been representing low-income consumers before government agencies, Congress, and state legislatures since 1969. It has appeared in the United States Supreme Court and federal and state courts and has successfully presented many important cases affecting consumer borrowers. It provides consultation and assistance to legal services, private and government attorneys in all fifty states. NCLC publishes a nationally acclaimed series of manuals on all major aspects of consumer credit and housing, including a volume on Consumer Class Actions that Ms. Wagner and I have edited. It also conducts training sessions nationally on consumer rights for attorneys, paralegals and other counselors, including an annual Consumer Class Action Symposium. NCLC works closely with lawyers representing low-income consumers, and with federal and state officials, labor unions, and community and civil rights organizations to promote justice for consumers. NCLC has been referred to as the “leading non-profit low-income consumer advocacy organization in the country” *Mazola, et al. v. The May Department Stores Company*, Case No. 97-CV-10872, 1999 WL 1261312 at *4 (D. Mass. Jan. 27, 1999). NCLC’s staff of over 60 permanent employees includes more than 30 attorneys who possess over 250 cumulative years of specialized consumer law expertise. In addition, a changing mix of special projects attorneys, consultants, fellows , and temporary hires normally supplements the regular staff. NCLC is governed by a volunteer national board of directors that has included a

past president of the American Bar Association, a former Arizona Solicitor General, as well as bar association representatives and clients for low-income communities. NCLC maintains offices in Boston, Massachusetts, and Washington, D.C.

4. This case involved complex legal and factual issues involving high-cost lending, retail installment sales contracts, and rent-to-own agreements. This case is important to low-income consumers who often unknowingly pay usurious interest rates and lack the means and sophistication to bring suits to vindicate their rights.

5. NCLC and co-counsel Adrian Lapas declined other cases and expended significant resources on this case because of the potential significant benefit that it would have for North Carolina consumers. NCLC and Mr. Lapas pursued this matter on a contingent fee basis in which they would not obtain any fees or costs unless awarded by a court or through settlement. As a result, counsel undertook significant financial risk in taking on this case.

6. NCLC has been co-counsel in this case with Mr. Lapas since shortly after this case's inception. Collectively, this team brings many decades of complex litigation and consumer law experience and expertise to this case.

7. Effective January 1, 2024, the hourly rates established by NCLC for litigation services provided by NCLC counsel in this matter are:

Attorneys 30+ years of experience	\$790
Attorneys 25-29 years of experience	\$760
Attorneys 20-25 years of experience	\$730
Attorneys 11-19 years of experience	\$655
Attorneys 8-10 years of experience	\$580

Attorneys 4-7 years of experience	\$495
Attorneys 1-3 years of experience	\$410
Paralegals/Law Clerks/Law Students	\$220

8. The hourly rates were established by NCLC based, in part, on an informal annual survey performed to determine the standard rates charged in the Boston legal community by private practice consumer advocates with comparable levels of experience and a recognized competence in consumer law, consumer litigation, and consumer class actions. Counsel’s rates are comparable to other rates in the Boston market. NCLC has successfully resolved fee claims based upon these rates in negotiated class action settlements that subsequently have been approved by the Court in which the matter was pending.

9. Counsel’s rates were also established with consideration of the Laffey Matrix, a compilation of hourly rates for attorneys of varying experience levels prepared by the Civil Division of the United States Attorney’s Office for the District of Columbia for use in cases in which a “fee-shifting” statute permits the prevailing party to recover “reasonable” attorney’s fees. Because the most recent Laffey Matrix had not been updated for inflation past 2021, the United States Attorney’s Office for the District of Columbia retained Brian Fitzpatrick, the Milton R. Underwood Chair in Free Enterprise and Professor of Law at Vanderbilt Law School to update the matrix. *See* Declaration of Brian T. Fitzpatrick, ¶¶ 1-2.¹ The full list of updated hourly rates set forth in the 2023 “Fitzpatrick Matrix” are available at, U.S.

¹ Available at <https://www.justice.gov/usao-dc/page/file/1504381/download> (last visited on June 27, 2025)

Attorney's Office, District of Columbia.² A version of the Laffey Matrix with adjustment factors to account for inflation is also available at <http://www.laffeymatrix.com/see.html>. The rates requested by counsel in this matter are considerably lower than those set forth in the Fitzpatrick Matrix and the Laffey Matrix for attorneys with comparable levels of experience.

10. Below is a summary chart breaking down NCLC's lodestar in this matter:

<u>Attorney</u>	<u>Hourly Rate</u>	<u>Total Hours</u>	<u>Lodestar</u>
Charles Delbaum (54 years of experience)	\$790	304.8	\$240,792
Jennifer Wagner (18 years of experience)	\$655	20.8	\$ 13,624
TOTAL:			\$254,416

11. The above hours do not include time for which insufficient detail was captured in counsel's time records or other arguably redundant, excessive, or otherwise unnecessary time that was excluded on the basis of billing judgment, nor time spent on administrative tasks. These hours also do not include time spent drafting the present motion; work involved in obtaining final approval of the settlement; and future work involved in ensuring a proper distribution of the settlement, if approved by this Court, to the class.

² <https://www.justice.gov/usao-dc/page/file/1504361/download> (last visited on June 27, 2025)

12. Attorney Wagner and I recorded our time contemporaneously with the work performed.

13. I have reviewed our firm's billing records for the time our firm devoted to the instant case.

14. In addition to time spent prosecuting this matter, to date, NCLC has incurred \$1,676.35 in costs, primarily travel related expenses for attendance and argument at two hearings before this Court.

15. NCLC has not received any compensation for its work on this case. Any compensation NCLC receives in this case will be dependent on the award of attorneys' fees by this Court.

16. In my opinion, this action was prosecuted vigorously, expertly and efficiently, and the time expended and expenses incurred in relation to this matter were reasonable and necessary to litigate the sophisticated and complex issues presented and to provide fair and adequate relief to class members.

17. I declare under penalty of perjury that the foregoing is true and correct and was executed on the date set forth below.

December 17, 2025

By: /s/ Charles M. Delbaum
Charles M. Delbaum
Mass. Bar No. 543225
(Admitted *pro hac vice*)
7 Winthrop Square
Boston, MA 02110
Telephone: (617) 226 0313
Facsimile: (617) 542-8028

STATE OF NORTH CAROLINA
COUNTY OF JONES

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE No.: 21 Cvs 134-510

CAROLINA LEASE)
MANAGEMENT GROUP, LLC,)

Plaintiff,)

v.)

CHARLES GREENE,)
Defendant.)

**DECLARATION OF COUNSEL
ADRIAN M. LAPAS
IN SUPPORT OF MOTION
FOR ATTORNEYS' FEES
AND COSTS**

CHARLES D. GREENE, *on behalf*)
of himself and all others)
similarly situated,)

Counterclaimant,)

v.)

CAROLINA LEASE)
MANAGEMENT GROUP, LLC,)

Counterclaim Defendant.)
_____)

I, Adrian M. Lapas, do hereby make this declaration in support Class Counsel's Motion for Attorneys' Fees and Expenses. This statement is made under penalty of perjury and pursuant to N.C. Gen. Stat. § 7A-98(a). I hereby depose and say as follows:

1. I am licensed by the State of North Carolina as an attorney and have been so licensed since August 20, 1993. I am an attorney in private practice and I have been practicing law in Goldsboro, North Carolina, since that time. I also

incorporate my declaration in support of my appointment as class counsel in this case.

2. I am one of the attorneys of record in the above-captioned action and was appointed as one of the Class Counsel for the Settlement Class in this case.

3. I have been involved in this case since before this case was filed as a counterclaim.

4. My normal billing rate for legal work is \$400.00.

5. I have been awarded fees at \$400.00 an hour for cases that I pursue as bankruptcy cases¹ in the Eastern District of North Carolina, for consumer litigation cases usually in bankruptcy court and recently, under a fee-shifting statute for a case filed in the District Court for Wayne County, North Carolina.

6. I am familiar with the legal marketplace for eastern North Carolina, and my hourly rate of \$400.00 an hour is commensurate with what other attorneys of similar experience and expertise charge.

7. During this case, I recorded the time that I expended on this matter contemporaneously with the work performed and my staff also recorded time spent on this case contemporaneously.

8. I have reviewed the billing records compiled by my firm on this case which does not include the time drafting the present motion and memorandum or

¹ Fees for an attorney representing a bankruptcy debtor must be approved by the United States Bankruptcy Court. *See*, 11 U.S.C §§ 328, 329, 330.

the work that will be required to draft and finalize the Motion for Final Approval and memorandum in support thereof.

9. I have spent 552.2 hours on this case and my paralegal has spent 31.2 hours on tasks related to this matter.

10. In addition, I have incurred \$4,120.37 in expenses related to this matter including the counterclaim filing fees, *pro hac vice* fees for co-counsel, deposition appearance fee and transcript, expert witness fee, and other fees and expenses.

This the 18th day of December, 2025.

s/ Adrian M. Lapas

Adrian M. Lapas

EXHIBIT 2

Declaration of Counsel in Support
of Service Award for Class Representative

STATE OF NORTH CAROLINA
COUNTY OF JONES

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE No.: 21 CvS 134-510

CAROLINA LEASE)
MANAGEMENT GROUP, LLC,)

Plaintiff,)

v.)

CHARLES GREENE,)

Defendant.)

CHARLES D. GREENE, *on behalf*)
of himself and all others)
similarly situated,)

Counterclaimant,)

v.)

CAROLINA LEASE)
MANAGEMENT GROUP, LLC,)

Counterclaim Defendant.)

**DECLARATION OF COUNSEL
ADRIAN M. LAPAS
IN SUPPORT OF CLASS
REPRESENTATIVE'S
SERVICE AWARD**

I, Adrian M. Lapas, hereby make this declaration in support Class Counsel's Motion for a Service Award for Class Representative Charles Greene. This statement is made under penalty of perjury and pursuant to N.C. Gen. Stat. § 7A-98(a). I hereby depose and say as follows:

1. At all times relevant herein, I am over the age of eighteen years and I am competent to make this declaration based on my personal knowledge.

2. I am licensed by the State of North Carolina as an attorney and have been so licensed since August 20, 1993. I am an attorney in private practice and I have been practicing law in Goldsboro, North Carolina, since that time.

3. I am one of the attorneys of record in the above-captioned action and was appointed by this Court as one of the Class Counsel for the Settlement Class in this case.

4. I have been in an attorney-client relationship with Defendant-Counterclaim Plaintiff and Class Representative Charles Greene since my first telephone discussion with him on March 5, 2021, and our meeting on March 8, 2021.

5. Over the course of my representation of Mr. Greene, I know the effort he has put forth in that I have communicated with him extensively throughout the course of this litigation.

6. As a general matter, throughout the course of this litigation, I routinely sent to Mr. Greene copies of documents for this case, letters providing status updates, letters advising as to general litigation strategies, letters and emails requesting responses to documents sent, and requesting additional documentation and information as to his transactions with Defendant Carolina Lease Management Group, LLC. Throughout this litigation, Mr. Greene appeared to be familiar with such documents and kept abreast of this case and understood the case as befits a layperson engaging with complicated consumer law statutes. Mr. Greene was always responsive to any request to speak with me by telephone or meet with me or to provide additional information.

7. Mr. Greene's efforts in this case include but are not limited to the following:

- a) provided documentation that he had in his possession as to the contract entered into with CLMG including evidence of payments made and other documentation;
- b) reviewed his personal documentation to reconstruct his payment history to CLMG and provided such to counsel;
- c) spoke at length on multiple occasions with counsel regarding his transaction with the local CLMG retailer for his portable storage shed;
- d) was generally available to assist counsel with decisions as to the scope and course of the litigation and class claims;
- e) provided information to another individual about the issues in this case and counsel's contact information so that, ultimately, that individual became a named plaintiff in the sister federal court action against CLMG, CTH Rentals, LLC and Old Hickory Buildings, LLC.

8. Mr. Greene traveled over 70 miles round-trip from his home to meet with Counsel in Kinston, North Carolina, on at least four occasions to discuss this case and traveled approximately 116 miles round-trip from his home to Counsel's office in Goldsboro, North Carolina, on at least three occasions to discuss this case and provide information.

9. Additionally, Mr. Green traveled over 100 miles round-trip to attend the Class Certification hearing scheduled for September 30, 2022, in Pitt County, North Carolina, but the hearing was cancelled due to the threat of a major tropical storm. Mr. Greene was unable to attend the re-scheduled Class Certification hearing on October 27, 2022, but he attended the resumed Class Certification hearing held on February 13, 2023, in Pitt County.

10. During the October 27, 2022, class certification hearing, the Court continued the hearing to allow Carolina Lease Management Group, LLC to depose Mr. Greene. Mr. Greene was generally available for a deposition though CLMG did not depose him.

11. Throughout the course of this litigation, Mr. Greene remained patiently committed to the best interests of the class during the nearly 5 years that this action has been pending. This commitment to the class included rejecting an individual settlement offer of \$40,000 to him alone.

12. In the *Bland* case, while Counsel was deposing Defendants' corporate representatives, settlement negotiations commenced in earnest to resolve the *Bland* case and this case. During this time and while such negotiations were on-going, Mr. Greene was available and responsive to Counsel's phone calls regarding the settlement negotiations and making decisions with regard to the proposals to settle this case along with the *Bland* case. As settlement negotiations continued, Mr. Greene remained responsive until ultimately an agreement was reached.

12. In my estimation, Mr. Greene has put in more time and effort in this case than the Class Representatives appointed in the *Bland* case for which each was awarded a service award of \$10,000.00. In the undersigned's opinion, this Court should likewise award at least \$10,000.00 to Mr. Greene for his efforts in pursuing this matter on behalf of the Class.

This the 18th day of December, 2025.

s/ Adrian M. Lapas

Adrian M. Lapas