

Exhibit 2

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**GRANT MOLLA,
on behalf of the Gerdau Ameristeel
US 401(k) Retirement Plan, himself,
and all others similarly situated,**

Plaintiff,

CASE NO. 8:22-cv-02094-VMC-SPF

v.

GERDAU AMERISTEEL US, INC.,

Defendant.

**DECLARATION OF BRANDON J. HILL IN SUPPORT OF
PLAINTIFF'S UNOPPOSED MOTION FOR PRELIMINARY APPROVAL
OF PARTIES' CLASS ACTION SETTLEMENT**

I, Brandon J. Hill, declare:

1. Unless otherwise indicated, the facts set forth below are based on my personal knowledge and the opinions set forth herein are my own.

1. I am a partner at Wenzel Fenton & Cabassa, P.A., and counsel in the above-styled case.

3. I have been a member of the Florida Bar since April of 2007, the Illinois Bar since 2010, and District of Columbia Bar since 2011. I have an LL.M. from George Washington University School of Law, a J.D. from Florida State University College of Law, and two Bachelor's degrees from the University of Kansas.

4. I am admitted in the United States District Courts for the Northern, Middle, and Southern District Courts of Florida, the Northern District of Illinois, the Eastern District of Michigan, the United States District Court of Colorado, and the United States Court of Appeals for the Eleventh Circuit.

5. I have represented employers and employees in all stages of litigation in federal and state courts throughout Florida, and beyond. In the Middle District of Florida alone I have served as co-counsel or lead counsel in 700+ federal cases.

6. I possess the requisite experience necessary to serve as class counsel in this case. I have been appointed as class counsel in multiple class actions, including cases involving a few hundred class members up to nearly half a million class members. Below is a list of class action cases I have been appointed as class counsel by various courts throughout the country:

- *Brown, et al. v. Lowe's Companies, Inc., and LexisNexis Screening Solutions, Inc.*, Case No.: 5:13-CV-00079-RLV-DSC (W.D.N.C) (appointed as co-class counsel in national FCRA class action matter involving 451,000 class members);
- *Speer v. Whole Foods Market Group, Inc.*, 8:14-cv-03035-RAL- TBM (M.D. Fla.) (Fair Credit Reporting Act class action settlement involving 20,000 individuals presided over by Judge Lazzara);
- *Kohler, Kimberly v. SWF Operations, LLC and Domino's Pizza, LLC*, Case No. 8:14-cv-2568-T-35TGH (appointed class counsel in Fair Credit Reporting Act case involving several hundred class members);
- *Hargrett, et al. v. Amazon.com, DEDC, LLC*, 8:15-cv-02456-WFJ-AAS, M.D. Fla. Case No.: 8:15-cv-02456 (appointed as class counsel in FCRA case with 480,000+ class members);
- *Smith, et al. v. QS Daytona, LLC*, Case No.: 6:15-cv-00347-GAP-KRS (M.D. Fla.) (Doc. 45) (appointed as class counsel in FCRA class action involving several hundred class members);

- *Patrick, Nieyshia v. Interstate Management Company, LLC*, Case No. 8:15-cv-1252-T-33AEP (M.D. Fla.) (appointed as class counsel in FCRA class action with approximately 32,000 class members);
- *Molina et al v. Ace Homecare LLC*, 8:16-cv-02214-JDW-TGW (M.D. Fla) (appointed as class counsel in WARN Act case with approximately 500 class members);
- *Moody, et al v. Ascenda, et al.*, Case No. 0:16-cv-60364-WPD (S.D. Fla.) (appointed as class counsel in FCRA class action with approximately 12,000 class members);
- *Mahoney v. TT of Pine Ridge, Inc.*, Case No.: 9:17-cv-80029-DMM (S.D. Fla. Nov. 20, 2017) (served as class counsel in TCPA case with 300,000+ class members).
- *George v. Primary Care Holding Inc.*, Case No. 0:17-cv-60217-BB (S.D. Fla.) (appointed as class counsel in FCRA class action);
- *Vazquez v. Marriott International, Inc.*, Case No.: 8:17-cv-00116-MSS-SPF (M.D. Fla) (appointed as class counsel in deficient COBRA notice case with 20,000 class members);
- *Figueroa v. Baycare Healthcare System, Inc.*, Case No.: 8:17-cv-01780-JSM-AEP (M.D. Fla) (served as class counsel in FCRA case involving approximately 2,009 class members);
- *Valdivieso v. Cushman & Wakefield Inc.*, Case No.: 8:17-cv-00118-SDM-JSS (M.D. Fla) (appointed as class counsel in deficient COBRA notice case with 2,000+ class members);
- *Dukes v. Air Canada*, Case No.: 8:18-cv-02176-TPB-JSS (M.D. Fla) (served as class counsel in FCRA case involving approximately 1,300 class members);
- *Rivera v. Aimbridge Hospitality, LLC*, Case No.: 8:18-cv-02192-EAK-JSS (M.D. Fla) remanded to *Rivera v. Aimbridge Hospitality, LLC*, 18-CA-007870, Thirteenth Judicial Circuit in and for Hillsborough County, Florida (served as class counsel in data breach case with 320,000 class members).
- *Blaney v. Aimbridge Hospitality, LLC*, 18-CA-007870, Thirteenth Judicial Circuit in and for Hillsborough County, Florida (served as class counsel in Fair Credit Reporting Act case with 17,00 class members);
- *Cathey v. Heartland Dental, LLC*, 2019-CA-000568, Fourth Judicial Circuit in and for Pasco County, Florida (served as class counsel in Fair Credit Reporting Act case with 9,800 class members);

- *Harake v. Trace Staffing Solutions, LLC*, Case No.: 8:19-cv-00243-CEH-CPT (M.D. Fla) (served as class counsel in Fair Credit Reporting Act case with 8,700 class members);
- *Hicks v. Lockheed Martin Corporation*, Case No.: 8:19-cv-00261-JSM-TGW (M.D. Fla) (appointed as class counsel in deficient COBRA notice case with 54,000+ class members);
- *Holly-Taylor v. Acadia Healthcare Company, Inc., et al.*, Case No.: 18-CA-007870, Thirteenth Judicial Circuit in and for Hillsborough County, Florida (served as class counsel in Fair Credit Reporting Act case with 25,00 class members);
- *Ali v. Laser Spine Institute, LLC*, Case No.: 8:19-cv-00261-JSM-TGW (M.D. Fla) (appointed as class counsel WARN Act case involving 500 class members);
- *Rigney et al v. Target Corporation*, Case No.: 8:19-cv-01432-MSS-JSS (M.D. Fla) (served as class counsel in deficient COBRA notice case with 92,000+ class members)
- *Luker v. Cognizant Technologies Solutions U.S. Corporation*, Case No.: 8:19-cv-01448-WFJ-JSS (M.D. Fla) (served as class counsel in wage case with 308 class members);
- *Lyttle v. Trulieve, Inc., et al.*, Case No.: 8:19-cv-02313-CEH-TGW (M.D. Fla) (appointed as class counsel in Fair Credit Reporting Act case involving 1,300 class members);
- *Twardosky v. Waste Management, Inc. of Florida, et al.*, 8:19-cv-02467-CEH-TGW(M.D. Fla) (appointed as class counsel in Fair Credit Reporting Act case involving 29,295 class members);
- *Silberstein v. Petsmart, Inc.*, 8:19-cv-02800-SCB-AAS (M.D. Fla) (appointed as class counsel in deficient COBRA notice case with 12,000+ class members);
- *Benson v. Enterprise Holdings, Inc. et al.*, Case No.: 6:20-cv-00891-RBD-LRH (M.D. Fla) (appointed as class counsel in WARN Act class action involving 900+ class members);
- *Morris et al v. US Foods, Inc.*, Case No.: 8:20-cv-00105-SDM-CPT (M.D. Fla) (appointed as class counsel in deficient COBRA notice case with 19,000+ class members);
- *Forsyth v. Lucky's Market GP2, LLC et al*, Case No.: 20-10166 (JTD); Adv. Pro. No. 20-50449 (JTD) (Del. Bk.) (served as class counsel in WARN Act class action pursued in Bankruptcy court adversarial proceeding involving hundreds of former employees);
- *Taylor v. Citizens Telecom Services Company, LLC*, Case No.: 8:20-cv-00509-CEH-CPT (M.D. Fla) (appointed as class

- counsel in deficient COBRA notice case with 16,137 class members);
- *Holmes et al v. WCA Waste Systems, Inc.*, Case No.: 8:20-cv-00766-SCB-JSS (M.D. Fla) (served as class counsel in deficient COBRA notice case with 1,720 class members);
 - *Boyd v. Task Management, Inc.*, Case No.: 8:20-cv-00780-MSS-JSS (M.D. Fla.) (appointed as class counsel in Fair Credit Reporting Act case involving 5,500 class members);
 - *In re The Hertz Corporation, et al*, Case No.: 20-11218 (MFW) (Del. Bk.) (served as class counsel in WARN Act class action pursued in Bankruptcy court involving 6,000+ class members);
 - *Kaintz v. The Goodman Group, Inc.*, 8:20-cv-02115-VMC-AAS (appointed as class counsel in deficient COBRA notice case with 2,889 class members);
 - *Gorman v. Whelan Event Staffing Services, Inc., et al.*, Case No.: 8:20-cv-02275-CEH-AEP (appointed as class counsel in Fair Credit Reporting Act case involving 29,000+ class members);
 - *Benitez v. FGO Delivers, LLC*, Case No.: 8:21-cv-00221-KKM-TGW (M.D. Fla.) (appointed as class counsel in Fair Credit Reporting Act case involving 9,000+ class members);
 - *Lopez v. Ollie's Bargain Outlet, Inc.*, 2020-CA-002511-OC, Ninth Judicial Circuit in and for Pasco County, Florida (served as class counsel in Fair Credit Reporting Act case with 3,500 class members);
 - *McNamara v. Brenntag Mid-South, Inc.*, Case No.: 8:21-cv-00618-MSS-JSS (M.D. Fla.) (appointed as class counsel in deficient COBRA notice case with 800+ class members);
 - *Santiago et al v. University of Miami*, 1:20-cv-21784-DPG (appointed as class counsel in ERISA class action involving university retirement plan and approximately 20,000 class members);
 - *Johnson v. McDonald's Corp.*, 1:21-cv-24339-FAM (S.D. Fla. Feb. 14, 2023)(ECF. No. 50) (served as class counsel in COBRA class action settlement recently granted final approval by Judge Moreno in case involving over 8,000 class members)
 - *Baja v. Costco*, 0:21-cv-61210-AHS (S.D. Fla. Oct. 25, 2022)(ECF. No. 56)(served as class counsel in COBRA class action settlement recently granted final approval by Judge Singhal in case involving over 38,000 class members);

- *Santiago v. Univ. of Miami*, 1:20-CV-21784 (ECF No. 66) (S.D. Fla. April 7, 2022) (served as class counsel in ERISA retirement plan class action settlement involving 38,000 class members).
- *Angelo v. NCL Corporation LTD, et al.*, 1:22-cv-22962-AHS (ECF No. 56) (served as class counsel in ERISA retirement plan class action settlement involving 10,000 class members).

5. Before the Complaint in this case was filed, I worked with my co-counsel to investigate the claims and potential defenses in this case. We carefully scrutinized all of the available Plan documents and information relating to the Plan's investments, fees, and general administration, including thousands of pages of documents. Even before filing the Complaint, we retained and sought the assistance of industry experts to corroborate our findings and to assist us craft the Complaint.

6. I, along with my staff and co-counsel, reviewed thousands of pages of relevant documents in connection with litigating this case.

7. These documents required careful review. All the documents were uploaded onto a digital platform and cataloged for use with Plaintiff's expert witnesses, depositions, briefing, and ultimately trial if needed.

8. The work performed in this case over the last 2.5 years was extensive and laborious. Before filing this case, Plaintiff's counsel conducted a significant, in-depth analysis into Plaintiff's claims and Defendant's Plan. Below are some examples of the work performed by Class Counsel while litigating this case, and timeline that is also made part of Plaintiff's Motion.

9. On September 9, 2022, Plaintiff filed a class action Complaint against Defendants in this court. (ECF 1.) The Complaint purports to state a putative class action under the Employee Retirement Income Security Act of 1974 (“ERISA”). Specifically, Plaintiff’s Complaint alleges Defendant breached its fiduciary duties in administering the Plan. The Plan is governed by a Plan Document which Defendant contended includes mandatory, pre-suit administrative remedies. While Plaintiff believed that exhaustion of those remedies is likely excusable and/or futile, rather than burdening the Court with heavy briefing on a procedural issue, Plaintiff agreed to work cooperatively with Defendant to exhaust his administrative remedies.

10. On September 30, 2022, the Parties filed a Joint Motion to Stay, asking the Court to stay the case pending Plaintiff exhausting his administrative remedies. (ECF 12.)

11. The Court granted the Joint Motion to Stay on October 1, 2022. (*Id.*) The Parties were then required to file a Status Report every sixty days thereafter informing the Court of their progress.

12. Plaintiff initiated the administrative exhaustion process on October 14, 2022, by sending a letter addressed to the “Plan Administrator” which requested certain Plan documents and submitted an administrative claim pursuant to the Plan’s mandatory administrative claims review process.

13. Plaintiff served written discovery requests on Defendant on November 11, 2023. On November 13, 2023, the Parties filed a Joint Motion asking

the Court to lift the stay. (ECF 23.) The stay was lifted on November 16, 2023. (ECF 24.)

14. The Parties filed their Case Management Report on November 28, 2023. (ECF 27.)

15. Defendant filed its Motion to Determine the Standard of Review and Motion for Protective Order on December 1, 2023. (ECFs 28, 29.) Defendant's Motion for Protective Order sought to effectively prevent Plaintiff from obtaining any discovery in the case and to limit the evidentiary record in the case only to the documents produced by Defendant in the administrative review process. (ECF 29.) Defendant's Motion to Determine the Standard of Review asked the Court to apply the arbitrary and capricious standard of review to this action. (ECF 29.) Six days later, on December 7, 2023, Defendant filed its Motion to Dismiss. (ECF 32.)

16. Plaintiff filed his opposition to each of Defendant's motions on January 19, 2024. (ECFs 38, 39, 40.)

17. Defendant filed reply briefs in support of its Motion to Determine the Standard of Review and Motion for Protective Order on February 2, 2024. (ECFs 46, 47.) The Court referred Defendant's Motion to Determine the Standard of Review and Motion for Protective Order to Magistrate Judge Sean P. Flynn for the issuance of a Report and Recommendation. (ECF 31.) On July 17, 2024, Magistrate Judge Flynn issued a Report and Recommendation recommending the Court deny both motions. (ECF 52.)

18. Defendant filed its Objection to Magistrate Judge Flynn's Report and Recommendation on August 9, 2024. (ECF 57.) That same day, Plaintiff also filed his First Amended Complaint (ECF 59.)

19. Plaintiff filed his response to Defendant's Objection to Magistrate Judge Flynn's Report and Recommendation on August 22, 2024. (ECF 60.)

20. The next day, August 23, 2024, Defendant filed its Motion to Strike, or Alternatively, Motion to Dismiss Plaintiff's First Amended Complaint. (ECF 61.)

21. On September 20, 2024, the Court accepted and adopted Magistrate Judge Flynn's Report and Recommendation, overruled Defendant's Objection, and denied Defendant's Motion to Determine the Standard of Review and Motion for Protective Order. (ECF 67.)

22. Plaintiff filed his opposition to Defendant's second Motion to Dismiss on that same day, September 20, 2024. (ECF 69.) Defendant filed its reply in support of its second Motion to Dismiss on October 4, 2024. (ECF 72.)¹

23. Following the Court's denial of Defendant's Motion for Protective Order, Defendant provided Plaintiff with additional critical discovery-related documents and information that helped drive settlement in this case. The Parties filed an updated Case Management Report on October 4, 2024. (ECF 73.) The Court entered its Scheduling Order on October 29, 2024. (ECF 74.)

¹ The Court granted Defendant's second Motion to Dismiss on January 25, 2025 (ECF 82), but permitted Plaintiff to file a Second Amended Complaint. Plaintiff's Second Amended Complaint was filed on February 5, 2025. (ECF 85.) It is the operative Complaint.

24. Settlement was first discussed among counsel for the parties shortly after the administrative review process ended. The parties continued discussing settlement from that point forward.

25. The Settlement consists of a gross settlement amount of \$1,500,000 that will be deposited into a qualified settlement fund. The Settlement provides an immediate benefit to the Settlement Class in the form of a large cash payment.

26. The Settlement requires Defendant to conduct a request for proposal process with respect to recordkeeping and other administrative services the Plan's recordkeeper, Fidelity, currently provides to the Plan within eighteen (18) months of the Court approving this Agreement.

27. Defendant will also require Fidelity to provide a detailed accounting of its float earnings that are a product of the services it provides to the Plan within 30 days of the Court approving this Agreement. These additional terms will help to ensure the Plan is prudently administered in the future.

25. I estimate the potential total monetary recovery for the Class in this case is roughly \$3,500,000 is possible. The \$1,500,000 monetary recovery represents about 43% of the potential monetary recovery. In my experience this is an excellent recovery.

26. I believe that Plaintiff's claims are strong, but I also recognize that those claims are subject to potential defenses and counterarguments. I

considered the risks and delays potentially caused by the legal and factual defenses asserted by Defendant. I also considered the fact that this case raises certain issues that have an unpredictable outcome. There is also the possibility of appeals and a significantly delayed resolution no matter who prevails at trial.

27. I am of the opinion that the proposed settlement is fair, reasonable, adequate, and is in the best interest of the class in light of all known facts and circumstances.

28. I, and my co-counsel, have the resources to continue to vigorously litigate this case on behalf of the Class and we are committed to continuing to do so. I have never been found by any court to lack the qualifications or ability to serve as class counsel.

29. I believe the Plaintiff, Grant Molla, is an adequate Class representative. Mr. Molla has at all relevant times sought to protect the interests of the Class in this action. I am not aware of any conflicts of interest the Plaintiff may have with any Class Member.

30. I support the settlement reached by the Parties in this case as fair, reasonable, and adequate, and ask that the Court approve it on a preliminary basis.

I declare under the penalty of perjury and the laws of the United States of America and the State of Florida that the foregoing is true and correct and that this declaration was executed on the 19th day of February, 2025, in Lithia, Florida.

/s/ Brandon J. Hill
Brandon J. Hill

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

GRANT MOLLA,
on behalf of the Gerdau Ameristeel
US 401(k) Retirement Plan, himself,
and all others similarly situated,

Plaintiff,

Case No. 8:22-cv-02094-VMC-SPF

v.

GERDAU AMERISTEEL US, INC.,

Defendant.

**DECLARATION OF MARC R. EDELMAN IN SUPPORT OF
PLAINTIFF’S MOTION FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

I, Marc R. Edelman, declare and state as follows:

1. I am a partner at the law firm of Morgan & Morgan, P.A. (“Morgan & Morgan”), and I am one of the attorneys of record for Plaintiff, Grant Molla on behalf of the Gerdau Ameristeel US 401(k) Retirement Plan (“Plan”). I submit this declaration in support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement.

2. I am licensed to practice law in the State of Florida. I also have been admitted to practice in several federal district courts and appellate courts. A list of jurisdictions and courts in which I have been admitted is set forth below:

United States District Court Middle District of Florida
United States District Court Southern District of Florida
United States Court of Appeals for the Eleventh Circuit

United States District Court Western District of Tennessee
United States District Court Eastern District Michigan
Supreme Court of the State of Florida
Circuit Courts State of Florida

3. I received my law degree from Florida State University in 1996 and my B.A. from the University of Florida in 1992.

4. I have been actively engaged in the practice of law since 1996 and have substantial class action experience.

5. Since joining Morgan and Morgan, I have focused my efforts on employment law and employment related class action lawsuits prosecuting violations of the Fair Credit Reporting Act 15 U.S.C. § 1681b and ERISA, including COBRA and breach of fiduciary duty claims on behalf of participants in 401(k) and ESOP plans.

6. I have been named Class Counsel in multiple actions, many of which resulted in million-dollar plus settlements for the class. Some of the class actions in which I was appointed as counsel include: *Graham v. Pyramid Healthcare Solutions*, Case No.: 8:16-cv- 1324-T-30AAS (Dkt.58), (M.D. Fla. June 18, 2017) (Moody, J.); *Coles v. Stateserv Medical of Florida, LLC et al.* No. 8:17-cv-829-T-17-AEP, (M.D. Fla., April 10, 2017) (Dkt. 45); *Fosbrink v. Area Wide Protective, Inc.*, 8:17-cv-01154-JSM-CPT, (M.D. Fla., May 8, 2018) (Moody, J.) (Dkt. 58); *Musa v. SOS Security LLC*, No. 2:17-cv-05681-MCA-SCM (D.N.J., Newark Division, April 16, 2018) (Dkt. 42); *Grice v. Pepsi Beverages Company, et al*, Case No.:1:17-cv-08853-JPO (S.D.N.Y. May 23, 2018); *Gibbs v. Centerplate, Inc., et al.*,

No.8:17-cv- 2187-T-17EAK-JSS (M.D. Fla. July 12, 2018); *Hargrett v. Amazon.comDEDC LLC*, Case No.8:15-cv-2456-T-26EAJ (July 24, 2018); *Gross v. Advanced Disposal Services, Inc.*, No. 8:17- cv-1920-T-36TGW (M.D. Fla. Dec. 10, 2018); *Williams v. Naples Hotel Group*, No: 6:18-cv- 422-Orl-37DCI (M.D. Fla. June 11, 2019); *Lindsey v. Ring Power Corporation*, No.: 18-CA- 007124 (Fla. 13th Cir.); *Bulgajewski v. R.T.G. Furniture Corporation, d/b/a Rooms To Go*, No.: 18-CA-007000 (Fla.13th Cir.). *Bryant v. Realogy Group, LLC*, No.: 8:18-cv-2572-T-60CPT (M.D. Fla. April 9, 2020); *Bermudez v. CFI Resorts Management, Inc.*, No.: 6:19-cv-1847-Orl- 37DCI (M.D. Fla. August 3, 2020); *Silberstein v. Petsmart, Inc.*, No.: 8:19-cv-02800-SCB-AAS (M.D. Fla. August 27, 2020); *Sharp v. Technicolor Videocassette of Michigan, Inc.*, No.: 2:18-cv- 02325-cgc (W.D.T.N., December 5, 2020); *Smith, et al. v. Kforce, Inc.*, No.: 8:19-cv-02068-CEH-CPT (M.D. Fla. June 28, 2021); *Broughton v. Payroll Made Easy, Inc.*, No.: 2:20-cv-41-NPM (M.D. Fla. July 27, 2021); *Betty Morris, et al. v. US Foods, Inc.*, No.: 8:20-cv-105-SDM-CPT (M.D. Fla. July 14, 2021); *Tweedie v. Waste Pro USA, Inc.*, No.: 8:19-cv-01827-TPB-AEP (M.D. Fla August 5, 2021); *Mendiola v. Home Depot U.S.A., Inc., et al.*, No.: 1:20-cv-04027 (N.D.G.A. October 7, 2021)(ERISA); *McNamara v. Brenntag Mid-South, Inc.*, No.: 8:21-cv-618-MSS-JSS, (M.D. Fla. November 2, 2022); *Washington v. DialogDirect*, No: 2:21-cv-10445-LVP-RSW (E.D. Mich. April 18, 2022); *Lyttle v. Trulieve, Inc.*, Case No.: 8:19-cv-02313-CEH-TGW (M.D. Fla. Aug. 18, 2022); *Moore v Computer Generated Solutions, Inc.* Case No.: 2022-ca-856 (Thirteenth Circuit Fla. Sept. 21, 2023); *Rodriguez v TZ*

Insurance Solutions d/b/a Tranzact and Willis Towers Watson, U.S. LLC, Case No.: 23-ca-401 (Thirteenth Circuit Fla. Aug. 17, 2023); *Cothran v. Adams*, Case No.: 23-cv-00518-CEH-CPT (M.D. Fla. October 24, 2024)(ESOP breach of fiduciary duty action); *Forestal v. SH Group Operations, LLC and Sterling Infosystems, Inc.*, Case No. 23-CA-013634, (Thirteenth Cir. Fla. May 22, 2024); *Stewart v. Baptist Memorial Health Care Corporation*, Case No. 2:21-cv-02377-SHM-cgc (W.D. Tenn. September 30, 2024).

7. During the course of this action, including the initial administrative claim and subsequent appeal within the Plan's administrative exhaustion process, I spent significant time reviewing documents and researching the Plan's investments, fees, and general administration. Defendant produced several thousand pages of diverse documents, including accounting records, fee summaries, committee minutes, Plan disclosures, and Plan participant disclosures.

8. After reviewing the aforementioned materials, I participated in several rounds of informal settlement discussions with Defendant's counsel.

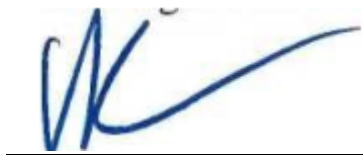
9. By the time the parties attended mediation on February 4, 2025, and having reviewed the materials exchanged and obtained during the administrative process, I had a thorough understanding of the claims' strengths and vulnerabilities. Based on my personal experience and knowledge, discovery and research into the merits and valuation of the claims, and in collaboration with co-

counsel, and industry experts, I believe that we were well-equipped to negotiate the Settlement that was reached in this case.

10. For the duration of this action, Plaintiff Grant Molla has been invaluable, providing the information required to pursue and support the action. Mr. Molla has participated in the Plan for the duration of the Class Period, and I am not aware of any conflicts of interest he may have with other Class Members.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 19, 2025



Marc R. Edelman