

Exhibit 3

**THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

GEORGE HENGLE, *et al.*, *on behalf of
themselves and all individuals similarly
situated,*

Plaintiffs,

v.

Civil Action No.: 3:19-250 (DJN)

SCOTT ASNER, *et al.*,

Defendants.

**DECLARATION OF LEONARD A. BENNETT IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL APPROVAL OF SETTLEMENT**

I, Leonard A. Bennett, hereby declare the following:

1. My name is Leonard A. Bennett. I am over 21 years of age, of sound mind, capable of executing this Declaration, and have personal knowledge of the facts stated herein, and they are all true and correct.

2. I submit this Declaration in support of Plaintiff's Consent Motion for Final Approval of Class Action Settlement.

Consumer Litigation Associates, P.C.

3. I am one of the attorneys working on behalf of the Plaintiff and the Class in the above-styled litigation, and I am an attorney and principal of the law firm of Consumer Litigation Associates, P.C., a six-attorney law firm with offices in Hampton Roads, Richmond, Alexandria and Harrisonburg, Virginia. My primary office is at 763 J. Clyde Morris Boulevard, Suite 1-A, Newport News, Virginia 23601.

4. Since 1994, I have been and presently am a member in good standing of the Bar of

the highest court of the Commonwealth of Virginia, where I regularly practice law. Additionally, since 1995, I have been a member in good standing of the Bar of the highest court of the State of North Carolina.

5. I have also been admitted to practice before and am presently admitted to numerous other federal courts. I have also been admitted to or by *pro hac vice* in United States District Courts including Alabama, Arizona, California, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Nevada, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia.

6. I was selected as the 2017 Consumer Lawyer of the Year by the National Association of Consumer Advocates.

7. In both 2019 and 2020, my firm earned the National Law Journal's Elite Trial Lawyers Award for top firm in Financial Products class action litigation.

8. In 2019, CLA was selected as the co-recipient of the Frankie Muse Freeman Organizational Award – the year's top Pro Bono law firm – by the Virginia State Bar.

9. Public interest leaders in the consumer protection field have also offered substantial praise for our law firm. Paul Bland, Executive Director of Public Justice, wrote of the law firm Bennett runs, "CLA is an elite consumer protection law firm. They are at the pinnacle of their field, one of the very most successful law firms in the country at representing individual consumers or classes of consumers, particularly those who've suffered from privacy injuries."

10. Ira Rheingold, Executive Director, National Association of Consumer Advocates

joined, “The work they do is on the cutting edge of consumer law and is guided by a unique passion and desire to achieve real justice for their clients and for consumers in general.”

11. And Stuart Rossman, Director of Litigation of the National Consumer Law Center offered, “Consumer Litigation Associates is one of the most innovative, and successful, consumer advocacy practices in the United States. CLA attorneys are recognized as the leading experts in their field whose legal acumen is highly respected and appreciated within our consumer advocacy community.”

12. Since before 2001, I have spoken at numerous CLE programs, seminars, and events in the area of Consumer Protection litigation.¹

¹ NACA Spring Training 2022, Arizona, National Trends in FCRA Litigation, April 2022; NCLC 2021 Mortgage Conference, Credit Reporting Issues in Mortgage Cases, June 25, 2021; NACA Online Spring Training 2021, COVID and Post-COVID Issues in FCRA Litigation, April 30, 2021; NCLC 2020 Consumer Rights Litigation Conference, Discovery in FCRA Cases, November 18, 2020; NACA Webinar, Understanding the Metro 2 Reporting Format, September 24, 2020; NCLC 2021 Mortgage Conference, Credit Reporting Issues in Mortgage Cases, June 25, 2021; NACA Online Spring Training 2020, Dealing with FCRA Paradigm Shifts: New Equifax Defense and COVID-19 Challenges, May 11, 2020; NACA Webinar, Virtual Depositions, March 31, 2020; National Consumer Law Center, Consumer Rights Conference, Denver, Colorado (November 2018); Military U.S. Navy Legal Assistance, Consumer Awareness, Buying, Financing and Owning an Automobile (July 2018); Practising Law Institute (PLI), 23rd Annual Consumer Financial Services Institute, April 2018; National Consumer Law Center, Consumer Rights Conference, Washington, D.C., Speaker (November 2017); National Consumer Law Center, Consumer Rights Conference, Anaheim, California, Speaker for Multiple Sessions (October 2016); Fair Debt Collection Practices Act/Fair Credit Reporting Act, Norfolk and Portsmouth, VA Bar Association (October 29, 2015); National Consumer Law Center, Consumer Rights Conference, Washington, D.C., Speaker for Multiple Sessions (November 2013); National Consumer Law Center, Fair Debt Collection Practices Act Conference, Fair Credit Reporting Act Claims Against Debt Buyers, March 2013; National Association of Consumer Advocates, Webinar CLE: FCRA Dispute Process, December 2012; Rossdale CLE, Fair Credit Reporting Act (August 2012); Virginia Trial Lawyers Association, Advocacy Seminar - October, 2011; National Association of Consumer Advocates, Fair Credit Reporting Act National Conference - Memphis, TN, May 2011; Stafford Publications CLE, National Webinar, “FCRA and FACTA Class Actions: Leveraging New Developments in Certification, Damages and Preemption” (April 2011); National Consumer Law Center, National Consumer Rights Conference, Boston, Speaker for Multiple Sessions, November, 2010; Virginia State Bar, Telephone and Webinar Course, Virginia, 2009; “What's Going On Here? Surging Consumer Litigation - Including Class Actions in State and

13. I testified before the United States House Financial Services Committee on multiple occasions. In 2014, I spoke before the Consumer Financial Protection Bureau Consumer Advisory Board.

14. I have also served on a Federal Trade Commission Round Table and Governor Kaine's Virginia Protecting Consumer Privacy Working Group all within this field. I was recently on the Board of Directors of the National Association of Consumer Advocates, and am on the Partners Council of the National Consumer Law Center, on the Board of Directors for Public

Federal Court"; National Association of Consumer Advocates, Fair Credit Reporting Act National Conference, Chicago, IL, May 2009; National Consumer Law Center, National Consumer Rights Conference, Philadelphia, Speaker for Multiple Sessions, November 2009; National Consumer Law Center, National Consumer Rights Conference, Portland, OR, Speaker for Multiple Sessions, November 2008; Washington State Bar, Consumer Law CLE, Speaker, September 2008; Washington State Bar, Consumer Law CLE, Speaker, July 2007; House Financial Services Committee, June 2007; National Consumer Law Center, National Consumer Rights Conference, Washington, D.C., Speaker for Multiple Sessions, November 2007; National Association of Consumer Advocates, Fair Credit Reporting Act National Conference; Denver, Colorado, May 2007, Multiple Panels; U.S. Army JAG School, Charlottesville, Virginia, Consumer Law Course Instructor, May 2007; Georgia State Bar, Consumer Law CLE, Speaker, March 2007; Contributing Author, Fair Credit Reporting Act, Sixth Edition, National Consumer Law Center, 2006; National Consumer Law Center, National Consumer Rights Conference, Miami, FL, Speaker for Multiple Sessions, November 2006; Texas State Bar, Consumer Law CLE, Speaker, October 2006 Federal Claims in Auto fraud Litigation; Santa Clara University Law School, Course, March 2006; Fair Credit Reporting Act; Widener University Law School, Course, March 2006 Fair Credit Reporting Act; United States Navy, Navy Legal Services, Norfolk, Virginia, April 2006 Auto Fraud; Missouri State Bar CLE, Oklahoma City, Oklahoma; Identity Theft; National Consumer Law Center, National Consumer Rights Conference, Boston, Mass, Multiple panels; National Association of Consumer Advocates, Fair Credit Reporting Act National Conference, New Orleans, Louisiana (May 2005), Multiple Panels; United States Navy, Naval Justice School (JAG Training), Newport , Rhode Island, Consumer Law; American Bar Association, Telephone Seminar; Changing Faces of Consumer Law, National Consumer Law Center, National Consumer Rights Conference, Boston, Mass; Fair Credit Reporting Act Experts Panel; and ABCs of the Fair Credit Reporting Act; National Association of Consumer Advocates, Fair Credit Reporting Act National Conference, Chicago, Illinois; Multiple Panels; Oklahoma State Bar CLE, Oklahoma City, Oklahoma, Identity Theft; Virginia State Bar, Telephone Seminar, Identity Theft; United States Navy, Naval Justice School (JAG Training), Newport, Rhode Island, Consumer Law; United States Navy, Navy Legal Services, Norfolk, Virginia, Auto Fraud; Virginia State Bar, Richmond and Fairfax, Virginia, Consumer Protection Law; Michigan State Bar, Consumer Law Section, Ann Arbor, Michigan, *Keynote Speaker*.

Justice and the Advisory Council of the Virginia Poverty Law Center.

15. I have been named as a multi-year Super Lawyer, a Law Dragon Top 500 Plaintiffs' Attorney, to Best Lawyers in America and a Virginia Leader in the Law.

16. Our firm has been selected by U.S. NEWS & WORLD REPORT Best Law Firm, First Tier Nationwide.

17. I was and am one of the contributing authors of the leading and comprehensive treatises published by National Consumer Law Center and used by judges and advocates nationally, including one of its the leading treatises.

Consumer Litigation Associates, P.C.'s Experience

18. I have substantial experience in complex litigation, including class action cases, prosecuted in Federal court.

19. I have litigated scores of class action cases based on consumer protection claims in the past decade. In each of the class cases, when asked to do so by either contested or uncontested motion, the court found me to be adequate class counsel. In each of these, I served in a lead or executive committee counsel role. Just a few of comparable cases include, by example only: *Pitt v. K-Mart Corp*, 3:11-cv-697 (E.D. Va.); *Ryals v. HireRight Sols., Inc.*, 3:09-cv-625 (E.D. Va.); *White v. Experian Info. Sols. Inc.*, 8:05-cv-01070 (C.D. Cal.); *Teagle v. LexisNexis Screening Sols., Inc.*, 1:11-cv-1280 (N.D. Ga.); *Roe v. Intellicorp*, 1:12-cv-02288 (N.D. Ohio); *White v. CRST*, 1:11-cv-2615 (N.D. Ohio); *Williams v. LexisNexis Risk Mgmt.*, 3:06-cv-241 (E.D. Va.); *Goode v. LexisNexis*, 11-cv-2950 (E.D. Pa.); *Beverly v. Wal-Mart Stores, Inc.*, 3:07-cv-469 (E.D. Va.); *Berry v. LexisNexis Risk & Info. Analytical Group*, 3:11-cv-754 (E.D. Va.); *Stinson v. Advance Auto Parts, Inc.*, (W.D. Va.); *Black v. Winn-Dixie Stores, Inc.*, 3:09-cv-502 (M.D. Fla.); *Cappetta v. GC Servs. LP*, 3:08-cv-288-JRS (E.D. Va.); *Henderson v. Verifications, Inc.*, 3:11-cv-514 (E.D.

Va.); *Harris v. US Physical Therapy, Inc.*, 2:10-cv-1508 (D. Nev.); *Domonoske v. Bank of Am., N.A.*, 5:08-cv-66 (W.D. Va.); *Smith v. Telecris Biotherapeutics, Inc.*, 1:09-cv-153 (M.D.N.C.); *Daily v. NCO Fin.*, 3:09-cv-31 (E.D. Va.); *Lengrand v. Wellpoint*, 3:11-cv-333 (E.D. Va.); *Burke v. Shapiro, Brown & Alt, LLP*, No. 3:14-cv-838 (DJN) (E.D. Va.); *Ridenour v. Multi-Color Corp.*, No. 2:15-cv-41-MSD-DEM (E.D. Va.); *Manuel v. Wells Fargo Nat'l Ass'n*, No. 3:14-cv-238 (E.D. Va.); *Thomas v. FTS USA, LLC*, No. 3:13-cv-825-REP (E.D. Va.); *Milbourne v. JRK Residential Am., Inc.*, No. 3:12-cv-861-REP (E.D. Va.); *Hall v. Vitran Express, Inc.*, No. 1:09-cv-00800 (N.D. Ohio); *Anderson v. Signix, Inc.*, No. 3:08-CV-570 (E.D. Va.); *Reardon v. Closetmaid*, No. 2:08-cv-1730 (W.D. Pa.); *Bell v. U.S. Express, Inc.*, 1:11-CV-181 (E.D. Tenn.); *Goode v. First Advantage LNS Screening Sols., Inc.*, 2:11-cv-2950 (E.D. Pa.) *Ellis v. Swift Transp. Co. of Az.*, 3:13-cv-473 (E.D. Va.); *Edwards v. Horizon Staffing, Inc.*, No. 1:13-cv-3002 (N.D. Ga.); *Shami v. Middle E. Broadcasting, Inc.*, 1:13-cv-467 (E.D. Va.); *Marcum v. Dolgencorp*, 3:12-cv-108 (E.D. Va.); *Wyatt v. SunTrust Bank*, 3:13-cv-662 (E.D. Va.); *Henderson v. HRPlus*, No. 3:14-cv-82 (E.D. Va.); *Henderson v. Backgroundchecks.com*, 3:13-cv-29 (E.D. Va.); *Henderson v. Axiom Risk Sols.*, 3:12-cv-589 (E.D. Va.); *Ryals v. Strategic Screening Sols., Inc.*, 3:14-cv-00643-REP (E.D. Va.); *Thomas v. First Advantage Screening Solutions, Inc.*, 1:13-cv-04161-CC-LTW (N.D. Ga.); *Smith v. Harbor Freight Tools USA, Inc.*, No. 2:13-cv-06262-JFW-VBK (C.D. Cal.); *Smith v. Rescare*, 3:13-cv-5211 (S.D. W. Va.); *Oliver v. FirstPoint, Inc.*, No. 1:14-cv-517 (M.D.N.C.); *Blocker v. Marshalls of MA, Inc.*, No. 1:14-cv-01940-ABJ; *Brown v. Lowe's Cos., Inc.*, 5:13-cv-79 (W.D.N.C.); *Reese v. Stern & Eisenberg Mid-Atlantic*, 3:16-cv-496-REP (E.D. Va.); *Hayes v. Delbert Servs. Corp.*, No. 3:14-cv-258-JAG (E.D. Va.); *Soutter v. Equifax Info. Servs., LLC*, 3:10-cv-107 (E.D. Va.); *Fariasantos v. Rosenberg & Assocs., LLC*, 3:13-cv-543 (E.D. Va.); *James v. Experian Info. Sols., Inc.*, 3:12-cv-902 (E.D. Va.); *Goodrow v. Friedman & MacFadyen, P.A.*,

3:11-cv-20 (E.D. Va.); *Witt v. CoreLogic SafeRent, LLC*, 3:15-cv-386 (E.D. Va.); *Henderson v. CoreLogic Nat'l Background Data, LLC*, 3:12-cv-97 (E.D. Va.); *Smith v. Sterling Infosystems, Inc.*, 1:16-cv-714 (N.D. Ohio).

20. I have extensive experience litigating class actions in the Eastern District of Virginia, one which requires an intimate knowledge of the rules and procedures unique to the district commonly known as the Rocket Docket because of the speed with which cases are typically brought to resolution. The ABA's Committee on Commercial and Business Litigation advises that the "Rocket Docket" is a potential trap for the uninitiated" and recommends that "visiting litigants and lawyers alike would be well advised to retain experienced lead or local counsel to help them safely navigate the Rocket Docket." *A Winning Motions Practice in the Rocket Docket*, Vol. 10, No. 4 (Summer 2009). Having practiced in that division and district for over 20 years and having appeared in over 900 cases in that district, I am well versed in the rules and procedures unique to the district. In addition to the sheer volume of cases I have handled, I have also appeared in numerous complex class action cases brought there. *See, e.g., Witt v. CoreLogic SafeRent, LLC*, 3:15-cv-386 (E.D. Va.); *Henderson v. CoreLogic Nat'l Background Data, LLC*, 3:12-cv-97 (E.D. Va.); *Hayes v. Delbert Servs. Corp.*, No. 3:14-cv-258-JAG (E.D. Va.); *Soutter v. Equifax Info. Servs., LLC*, 3:10-cv-107 (E.D. Va.); *Ridenour v. Multi-Color Corp.*, No. 2:15-cv-41-MSD-DEM (E.D. Va.). Regarding the particular claims and area of law at issue here, I have additional, focused expertise. I have been co-lead in multiple successful actions brought against tribal payday lending schemes as in this case. For example, I was Co-Lead Counsel, and appointed Class Counsel by the Eastern District of Virginia in *Hayes v. Delbert Services Corp.*, No. 3:14-cv-259-JAG (E.D. Va.). That case, in which the Attorney General of Virginia intervened, alleged similar claims against a group of payday lenders structured in much

the same way as Defendants here. Together with the Attorney General, we resolved the claims of 17,000 Virginia consumers who, like Plaintiffs and Class Members here, were victimized by an illegal tribal-lending scheme. The settlement in *Hayes* (1) eliminated all outstanding loans for class members, (2) required the defendants to create a \$9.4 million settlement fund for the benefit of class members (attorneys' fees were separately paid by defendants), (3) required the defendants to cease reporting to the Big 3 credit reporting agencies the status of any loans, (4) released judgments and provide other relief relating to class members' loans, (5) stopped defendants from charging more than 12% interest (the legal limit for interest under Virginia law without a license to lend in the Commonwealth), and (6) initiated new lending practices defendants for loans made to Virginians. (*See Hayes* Doc. 186 at 4–5.) In other words, the settlement was a near-total victory for class members.

21. I have also been co-lead in multiple successful actions brought against other major players in the tribal payday lending industry. *See Turnage, et al. v. Clarity Services, Inc.*, Case No. 3:14-cv-760 (E.D. Va.); *Pettus, et al. v. The Servicing Company, LLC, et al.*, Case No. 3:15-cv-00479 (E.D. Va.); *Jensen, et al. v. Clarity Services, Inc., et al.*, Case No. 3:16-cv-00312 (E.D. Va.); *Gibbs v. Plain Green, LLC*, 3:17-cv-495 (E.D. Va.); *Gibbs v. Haynes Investments, LLC*, 3:18-cv-48 (E.D. Va.); *Gibbs v. Rees*, 3:17-cv-386 (E.D. Va.) (transferred to N.D. Tex.); *Galloway v. Plain Green, LLC*, 3:18-cv-540 (E.D. Va.); *In re Think Finance, LLC*, 17-33964 (Bankr. N.D. Texas) (filed in the Eastern District of Virginia but transferred after several defendants filed for bankruptcy); *Gillison v. Lead Express, Inc.*, 3:16-cv-41 (E.D. Va.).

22. In each of the above cases brought against major players in the tribal payday lending industry, my firm has been responsible for researching and briefing numerous motions typically brought by defendants in these cases. Such motions include motions to dismiss for lack

of jurisdiction, asserting the doctrine of tribal exhaustion, to arbitrate, to transfer, and to stay. (See, e.g. *Hayes*, Doc. 6; *Gibbs v. Plain Green, LLC*, Docs. 16, 18.)

23. Craig C. Marchiando, a partner at my Firm, also practices exclusively in the field of consumer protection litigation. He is among the most experienced attorneys in the nation in this highly-specialized field of consumer class action litigation. Mr. Marchiando graduated from South Texas College of Law *cum laude* in 2004, served a one-year appellate clerkship before moving to private practice, and was named a Texas Super Lawyers Rising Star in class action and mass tort litigation in 2013 and 2014. He is licensed to practice in California, Florida, Texas, and Virginia.

24. Prior to leaving my firm and joining the federal judiciary, Judge Elizabeth W. Hanes was another attorney at my firm who worked on this case. As evidenced by her appointment as a federal district judge, Judge Hanes is an accomplished jurist with extensive legal experience. While at our firm, her practice was limited to consumer-protection litigation. She was an experienced trial attorney, with extensive experience in federal court. Ms. Hanes graduated from the University of Richmond *summa cum laude* in 2007, and served two one-year federal clerkships at the appellate and trial levels before joining the Federal Public Defender's Office for the Eastern District of Virginia. Ms. Hanes joined Consumer Litigation Associates in 2016, and focused her practice on federal consumer protection law and class actions, representing consumers in cases against payday lenders, banks, consumer reporting agencies and debt collectors. She has practiced law in Virginia since 2009 and is admitted to practice in the United States District Court for the Eastern District of Virginia and the United States Court of Appeals for the Fourth Circuit. She has represented hundreds of individuals in federal court, and has served as an adjunct professor at Virginia Commonwealth University and the University of Richmond School of Law. She is a member of the National Association of Consumer Advocates, the Richmond Bar Association, and

serves on the Executive Board of the Metropolitan Richmond Women's Bar Association.²

25. Drew Sarrett, an associate at my firm, also spent time on this case. Mr. Sarrett is an experienced litigator in consumer protection, having practiced for roughly a decade with countless appearances in federal and state court. Prior to joining my firm, Mr. Sarrett ran his own law firm where he focused primarily on representing consumers.

26. Kevin Dillon is another associate at my firm who worked on this case. Since his admission to the Virginia Bar, Mr. Dillon has been practicing at my firm for the past four years, exclusively representing consumers. Mr. Dillon has litigated both federal and state cases under various consumer protection laws including the FCRA, FDCPA, TILA, RESPA, and the Virginia Consumer Protection Action. He litigates in both federal and state court, and counsel of record in cases in multiple federal district courts throughout the country as well as the Fourth Circuit.

27. John Maravalli is a multi-year law clerk at my firm at a third-year law student at Regent University School of Law. Mr. Maravalli is also a veteran of the United States Air Force. He will work here as an attorney upon graduation.

28. Adam Short is a law clerk at my firm at a third-year law student at Regent University School of Law. Mr. Short is also a retired veteran of the United States Army. He will work here as an attorney upon graduation.

29. The primary paralegals that worked for our firm in this case are experienced in the field of consumer protection and the legal field generally. Donna Winters, Vicki Ward Crissman and Dawn Chaffer have been legal assistants and then paralegals for more than thirty years each. Donna Winters and Vicki Crissman have both have been with me practically since I began my

² Judge Elizabeth W. Hanes left CLA in the Spring of 2020, so any work reflects that which she completed prior to her departure.

practice and have deep understanding of class action litigation. Also, Ashleigh Hudson, who is also a Paralegal with my firm is experienced with class action litigation and has 14 years of experience in litigation.

Consumer Litigation Associates, P.C.'s Involvement in This Matter

30. My firm assisted in each phase of the litigation since inception. We were involved in pre-suit investigations, pleadings, client meetings, informal discovery, document review, motions practice, class identification, appellate briefing and strategy, and then negotiation of the Settlement. We approached settlement negotiations as we always do, focusing on achieving the best benefit possible for our clients and the Class.

31. This case has been hard-fought with heavy motions practice, nearly 20,000 pages of documents produced by Defendants, and an appeal to the Fourth Circuit.

32. I was co-lead in negotiation of a major parts of this settlement in multiple sessions before private mediator Nancy Lesser. I was also co-lead in the settlement conference with Magistrate Judge Colombell and was active and directly involved in all other parts of the negotiation.

33. The Settlement here represents an excellent result for the class, and I am pleased with the outcome we were able to obtain for the Class in this case.

34. While Class Counsel firmly believed in the merits of the class claims, success was by no means guaranteed. If we were to proceed with litigation, we would have faced risk at multiple phases of the case, including class certification, summary judgment, trial, and appeal, not to mention the previously pending cert petition to the Supreme Court. These risks could have resulted in little to no recovery for class members.

35. Taken as a whole, there is little doubt that the decision to settle was as informed as it possibly could have been. This action has been appropriately litigated by the Parties and sufficient discovery has been obtained by both Plaintiff and Defendant to assess the strength of their respective claims and defenses.

36. In this litigation, my firm incurred at least 741.50 billable hours for a total fee of at least \$ 373,887.50. This time was incurred litigating, opposing Defendants' appeal and pursuing a settlement for the class.

37. I have been active in the case from filing. Our firm handled major parts of the litigation including substantial document review, negotiations and assisting on briefing and appellate tasks.

38. My firm has also devoted considerable time and resources to communications with members of the 500,000+ member class that spans throughout the country. This was largely our firm's responsibility. For example, we have set up a dedicated phone line and email address to handle questions from class members. I estimate our office has received thousands of contacts including phone calls, emails and indirect questions from class members. Our office has received calls daily from class members regarding various details with the case and the settlement. We anticipate providing ongoing assistance to class members even after final approval. The summary of our time and estimated work through completion is as follows:

Timekeeper	Position	Atty. Yrs. of Exp.	Hourly Rate	Hours Worked	Lodestar
Leonard A. Bennett	Attorney/Owner	24	\$750.00	376	\$282,000.00
Elizabeth Hanes	Senior Attorney	18	\$550.00	12	\$ 6,600.00

Craig Marchiando	Senior Attorney	18	\$650.00	16	10,400.00
Kevin Dillon	Associate Attorney	3.5	\$400.00	64	\$ 25,600.00
Drew Sarrett	Attorney	10	\$550	5	\$2,750.00
Donna Winters	Senior Paralegal	43	\$225.00	25	\$5,625.00
Vicki Crissman	Senior Paralegal	36	\$225.00	24	\$ 5,400.00
Dawn Chaffer	Paralegal	33	\$225.00	18	\$4,050.00
Ashleigh Hudson	Paralegal	14	\$225.00	16.5	\$3,712.50
John Maravalli	Law Clerk		\$150	120	\$18,000.00
Adam Short	Law Clerk		\$150	65	\$9,750.00

39. To date, Class Counsel has not received any objections to the settlement.

40. I anticipate that Class Counsel will continue to expend significant amount of time in this matter after final approval, as the Settlement Agreement calls for active monitoring by Class Counsel to ensure Defendants are in fact updating their procedures for how public record information is collected and reported.

41. My firm has also incurred at least \$ 53,203.72 in costs in litigating this matter. This includes costs for:

Mediation (PAX ADR): \$20,750.00
 Mediation Room rental: \$131.18
 Mediation Transportation Costs: \$269.50
 Subpoena Documents (First Citizen's Bank): \$22.00
 Service Fees (ABC Legal): \$7,090.00
 Service Fees (Hester Services): \$140.00
 Court Reporter (Tracy Stroh): \$60.50
 Federal Express: \$40.97
 Westlaw: \$24,532.05
 Document Review: \$167.52

We estimate additional incidental expenses for copying, supplies and mileage of at least

\$1,000.00.

42. It is my professional opinion that the fees and costs incurred by my firm were reasonable and necessary in prosecuting this action.

43. At the level of complexity of the litigation in which my firm, but also others firms that are part of Class Counsel, are engaged, we are almost always opposite experienced and skilled defense attorneys, and defendants with practically unlimited litigation resources. That was the case here. Defense counsel have been some of the most challenging against which to litigate the issues in this specific matter. And the defense lawyers here have defense experience that largely matches ours in this field over the last decade.

44. I feel strongly that settlements like the one achieved here are significant and meaningful to Class Members because they receive a real, cash award with little effort to participate. Providing a cash benefit, that consumers can use how they choose, is in my view more desirable than something like a discount on future purchases that requires the consumer to patronize the defendant again or an extended warranty that nearly forces the consumer to keep a product with which they are likely now dissatisfied.

45. The \$10,000 service awards to George Hengle, Sherry Blackburn, Willie Rose, Elwood Bumbray, Tiffani Myers, Steven Pike, Sue Collins, Lawrence Mwethuku, Regina Nolte, and Jo Ann Falash are reasonable and warranted. They have been in near-constant touch with their Counsel throughout this litigation and the settlement process, and have provided us with important insight and comments as settlement discussions progressed. The award is in line with others awarded in similar cases, and I likewise believe it is appropriate here.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

DATED: September 21, 2022, Newport News, Virginia



Leonard A. Bennett, Esq.