

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE SHIELDS HEALTH GROUP, INC  
DATA BREACH LITIGATION

CASE No. 1:22-cv-10901-PBS

Hon. Patti B. Saris

---

**JOINT DECLARATION OF SETTLEMENT CLASS COUNSEL IN SUPPORT OF  
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, EXPENSES, AND  
REPRESENTATIVE PLAINTIFFS' SERVICE AWARDS**

---

Lori G. Feldman of George Feldman McDonald, PLLC, Kelly K. Iverson of Lynch Carpenter LLP, Alex J. Dravillas of Keller Postman LLC, John A. Yanchunis of Morgan & Morgan, and Michael Forrest of Mazow McCullough, PC, hereby declare as follows:

1. We are Settlement Class Counsel<sup>1</sup> for Representative Plaintiffs and Settlement Class Members in these above-captioned Federal and related State Court Actions. We respectfully submit this joint declaration in support of Plaintiffs’ Motion for Attorneys’ Fees, Expenses, and Representative Plaintiffs’ Service Awards (the “Fee Motion”). Plaintiffs’ motion for final approval of the Settlement will be filed on December 9, 2025.

2. The facts contained herein are true based upon our personal knowledge, books and records, and communications by and among all Class Counsel, as well as the Court-appointed Settlement Administrator, Analytics Consulting, LLC (the “Settlement Administrator”).

3. The undersigned respectfully submit that the fees, expenses, and Service Awards are fair and reasonable given the efforts, expense, and risks undertaken to secure this excellent Settlement for Plaintiffs and the Settlement Class.

4. The history of the Actions, the litigation efforts, and the background of the global Settlement Agreement are detailed in Settlement Class Counsel’s Preliminary Approval Joint Declaration, a copy of which is attached hereto as **Exhibit 1** and is incorporated herein by reference.

**PRELIMINARY APPROVAL OF THE FEDERAL AND STATE ACTIONS**

5. On May 15, 2025, the Federal Plaintiffs filed their Unopposed Motion for Preliminary Approval of Proposed Class Action Settlement and Direction of Class Notice in the

---

<sup>1</sup> Unless otherwise defined herein, all capitalized terms have the same meanings ascribed to them in the Settlement Agreement (hereinafter “S.A.”) between Plaintiffs and Shields, filed as ECF No. 158-1.

Federal Action. (ECF Nos. 156–68).<sup>2</sup>

6. On May 15, 2025, the State Plaintiffs filed their Unopposed Motion for Preliminary Approval of Class Action Settlement and Direction of Class Notice. (Dkt Nos. 40, 40.1, 40.2).<sup>3</sup>

7. On May 20, 2025, the Federal Court preliminarily approved the Settlement, pending State Court approval, upon which it would enter the Preliminary Approval Order. (ECF Nos. 159–60).

8. On May 27, 2025, the Parties filed a joint notice in the State Action to notify the State Court that, following a hearing on May 20, 2025, in the Federal Action, Hon. Patti B. Saris had preliminarily approved the proposed settlement filed in the Federal Action. (Dkt No. 42).

9. On September 9, 2025, Judge Patti B. Saris ordered preliminary approval in the Federal Action. (ECF 165).

10. On September 11, 2025, Judge Leighton ordered preliminary approval in the State Action. (Dkt No. 47).

**SETTLEMENT CLASS COUNSEL’S EFFORTS SINCE PRELIMINARY APPROVAL**

11. Following the Federal Court’s September 9, 2025, grant of preliminary approval, and the State Court’s September 11, 2025, grant of the same, Settlement Class Counsel worked with Defense Counsel and the Settlement Administrator to finalize the Settlement Notices and publish the Settlement Website. Settlement Class Counsel also monitored the dissemination of Notice to the Class.

---

<sup>2</sup> References to ECF Nos. used herein refer to the docket for the Federal Action filed in the United States District Court for the District of Massachusetts, 1:22-cv-10901-PBS.

<sup>3</sup> References to Dkt Nos. used herein refer to the docket for the State Action filed in the Norfolk Superior Court in the Commonwealth of Massachusetts entitled *Kossifos v. Shields Health Care Group, Inc.*, No. 2282-cv-00561 (Norfolk County), consolidated with *Johnson v. Shields Health Care Group, Inc.*, No. 2277-cv-00839 (Essex County) and *Biscan v. Shields Health Care Group, Inc.*, No. 2382-cv-0023 (Norfolk County).

12. Settlement Class Counsel have also continued to communicate with the Class Representatives from both the Federal and State Actions and assist Settlement Class Members from both the Federal and State Actions, in submitting claims for Settlement benefits.

**CLASS COUNSEL'S ATTORNEYS' FEES AND EXPENSES**  
**REQUESTED ARE REASONABLE**

13. Pursuant to the Settlement Agreement, Settlement Class Counsel is permitted to seek an award of up to 33 and 1/3% of the Settlement Fund (\$5,116,666.67) as attorneys' fees as well as their actual expenses incurred in investigating and prosecuting the State and Federal Actions. S.A. ¶¶ 12.2.

14. The Settlement Class was notified that Settlement Class Counsel would seek no greater fee than the \$5,116,666.67 and would not seek expenses in excess of \$150,000. *See* Long Form Notice attached to Notice Plan at Exh. D to S.A.

15. In their Fee Motion, Settlement Class Counsel seeks attorneys' fees in the amount of \$5,116,666.67 and expenses in the amount of \$76,276.04

16. Settlement Class Counsel and other Plaintiffs' Counsel have spent substantial time and expense litigating both the Federal and State Court Actions on behalf of the Settlement Class, and they have done so entirely on a contingent basis.

17. Settlement Class Counsel have worked cooperatively and efficiently and have committed substantial time and resources to this case. This work has included: (1) investigating the Data Incident; (2) researching viable legal claims; (3) identifying and interviewing potential class representatives about their experiences; (4) preparing and filing multiple class action complaints and amended complaints; (5) consolidating cases; (6) attending hearings in both the Federal and State cases; (7) submitting discovery plans to the court; (8) negotiating a Confidentiality Order and ESI Stipulation; (9) opposing Defendant's motions to dismiss in both

the Federal and State Actions; (10) mediating the case with Defendant; (11) submitting informal discovery requests and exchanging sufficient informal discovery; (12) serving formal discovery requests on Defendant and drafting responses to formal discovery requests served on all Plaintiffs; (14) reviewing documents provided by Defendant; and (15) conducting the investigations needed to obtain sufficient knowledge to understand the strengths and weaknesses of Plaintiffs' claims and to fully evaluate the risks and uncertainties of future litigation

18. To date, Class Counsel have not been paid anything for their efforts, nor have they been reimbursed for the costs and expenses they have advanced. .

19. Settlement Class Counsel asked each Plaintiffs' Counsel that spent time related to the prosecution of the State and/or Federal Actions and/or to the global resolutions of the Actions, to report and attest to their total lodestar and expenses, and to attest their reported lodestar as accurate and based on their current and standard hourly billing rates for class action cases.

20. The total lodestar and expenses incurred related to the Federal and State Actions, as attested by each firm to Settlement Class Counsel, is as follows:

<b>FIRM NAME</b>	<b>LODESTAR</b>	<b>HOURS</b>	<b>EXPENSES</b>
Barrack, Rodos & Bacine	\$ 180,480.50	181.7	\$ 9,456.43
Berman Tabacco	\$ 190,924.00	281.5	\$ 6,577.15
Block & Leviton	\$ 123,153.00	164.9	\$ 1,484.91
Finklestein Blankenship	\$ 123,240.00	162.81	\$ 899.98
George Feldman McDonald	\$ 651,603.25	751.05	\$ 5,656.75
Keller Postman	\$ 220,208.50	226.91	\$ 13,980.76
KG Law	\$ 274,686.25	403.65	\$ 189.24
Lynch Carpenter	\$ 437,485.00	592.6	\$ 13,560.20
Mazow McCullough	\$ 105,347.50	180.53	\$ 3,186.29
Milberg	\$ 30,516.90	53.7	\$ 864.75
Morgan & Morgan	\$ 392,057.10	204.95	\$ 17,115.79
RJ Masalek	\$ 2,800.00	7.2	\$ 531.31
Maxey Law Firm	\$ 34,480.00	43.1	\$ 1,200.50
Scott + Scott	\$ 184,418.00	234.7	\$ 1,330.94
Wolf Haldenstein	\$ 67,272.54	103.8	\$ 241.04
<b>TOTALS:</b>	<b>\$ 3,018,672.54</b>	<b>3593.1</b>	<b>\$ 76,276.04</b>

21. The current lodestar of \$3,018,672.54 reflects a multiplier of 1.7 to reach the requested fees of \$5,116,666.67 (33 and 1/3% of the Settlement Fund).

22. Settlement Class Counsel will need to spend substantial additional time to prepare and submit the Final Approval motions, to prepare for and attend the joint Final Approval Hearing scheduled for December 16, 2025, and, as they continue to oversee the administration and if finally approved, the distribution of the Settlement benefits to the Settlement Class. Considering that additional time that has not yet been incurred, the ultimate multiplier in this case will be smaller than the current multiplier.

23. Class Counsel seeks \$76,276.04 in expenses, well below the \$150,000 cap.

24. The incurred expenses are reasonable, necessary, and directly relate to the quality of the result achieved. A majority of these expenses are made up of costs associated with filing fees, research costs, mailing/copy costs related to the case, mediator fees, and travel expenses related to mediation and court appearances. These expenses were necessary to prosecute the cases and reach the global Settlement here. Given that there are currently fifteen plaintiffs across two actions in two different courts, Class Counsel's expenses of \$76,276.04 are entirely reasonable and warrant reimbursement.

25. Settlement Class Counsel estimates that they will need to spend additional expenses to prepare for and attend the Final Approval Hearing scheduled for December 16, 2025, and other minimal expenses to continue to protect the Settlement Class's interests through settlement administration.

26. Settlement Class Counsel believe that the fee request of \$5,116,666.67 and expenses of \$76,276.04 are reasonable and justified in this case.

27. Settlement Class Counsel is and will continue to monitor the claims, opt-outs, and

objections submitted to the Settlement Administrator on a weekly basis.

28. As of November 5, 2025, the Settlement Administrator has thus far received two requests for exclusion from Federal Action Settlement Class Members.

29. One objection was filed in the Federal Action by a State Action Settlement Class Member. A copy of that Objection is attached hereto as **Exhibit 2**.

**THE REPRESENTATIVE PLAINTIFFS' SERVICE AWARDS OF \$2,500 EACH ARE REASONABLE AND JUSTIFIED**

30. Since the inception of this case in June 2022, the Representative Plaintiffs (the named Federal Plaintiffs and State Plaintiffs) have stayed informed about this litigation and spent substantial time and effort protecting the Class's interests, thereby justifying a modest Service Award to each of \$2,500.

31. The Representative Plaintiffs assisted Class Counsel in investigating their claims and reviewed and approved the filing of pleadings, including reviewing and approving their original and Consolidated Class Action Complaints.

32. Defendant Shields served written formal discovery requests on both the Federal Plaintiffs and State Plaintiffs. The Representative Plaintiffs spent considerable time and effort assisting Class Counsel in preparing responses, and they searched for and provided relevant and responsive documents.

33. The Representative Plaintiffs were also required to review and approve the settlement demands, final settlement amount, and the Settlement Agreement.

34. At all times, the Representative Plaintiffs were actively involved in all phases of this lawsuit and advocated on behalf of the Class.

35. Class Counsel's experience litigating a substantial number of data breach class actions provides for the informed opinion that the \$15,350,000 non-reversionary common fund

represents a fair and reasonable result for the 2,382,578 Class Members. Given the uncertainty of damages even if liability were established, the Settlement here provides a reasonable outcome that weighs in favor of the grant of attorneys' fees in the amount of \$5,116,666.67, expenses in the amount of \$76,276.04, and Service Awards of \$2,500 to each Representative Plaintiff.

We affirm, under penalties of perjury under the laws of the United States of America that the forgoing is true and correct.

Dated: November 10, 2025

/s/ Lori G. Feldman

Lori G. Feldman

/s/ Kelly K. Iverson

Kelly K. Iverson

/s/ Alex J. Dravillas

Alex J. Dravillas

/s/ John A. Yanchunis

John A. Yanchunis

/s/ Michael Forrest

Michael Forrest