

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

JASON C. FRITTON, MAREA GIBSON,
BRIAN W. MOTZENBEEKER, DAWN
DUFF, and CHRISTOPHER SHEARMAN,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

TAYLOR CORPORATION, the BOARD OF
DIRECTORS OF TAYLOR
CORPORATION, the FIDUCIARY
INVESTMENT COMMITTEE, and JOHN
DOES 1-30,

Defendants.

Civil Action No. 22-cv-00415

Judge Jeffrey M. Bryan

Mag. Judge Tony N. Leung

**DECLARATION OF ERIC LECHTZIN IN SUPPORT OF
PLAINTIFFS' UNOPPOSED MOTION FOR FINAL APPROVAL OF
SETTLEMENT AND FOR AWARDS OF ATTORNEYS' FEES, EXPENSES
AND CASE CONTRIBUTION AWARDS TO PLAINTIFFS**

I, Eric Lechtzin, hereby declare under penalty of perjury of the laws of the United States as follows:

1. I submit this declaration in support of (a) Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement, Certification of Settlement Class, and Approval of Plan of Allocation; and b) Plaintiffs' Motion for an Award of Attorneys' Fees, Reimbursement of Expenses, and Case Contribution Awards to Plaintiffs, in the above-captioned action.

2. I am a Managing Partner at the law firm of Edelson Lechtzin LLP and co-counsel for Plaintiffs in the above-captioned class action lawsuit. I am an active member

in good standing of the bars of the State of California, the State of New Jersey, and the Commonwealth of Pennsylvania.

3. Prior to forming Edelson Lechtzin LLP in May 2020, I was a Shareholder at Berger Montague PC, in Philadelphia, Pennsylvania, where my practice focused on ERISA, securities fraud, and consumer protection class action litigation. I have served as the Pennsylvania State Chair for the National Association of Consumer Advocates since 2017. I have been named a “Super Lawyer” in Pennsylvania for Class and Mass Tort Litigation every year since 2017, and I am rated “AV Preeminent” by Martindale-Hubbell.

4. I lead Edelson Lechtzin LLP’s ERISA class action practice. The firm’s successes in ERISA litigation include the following: *Hundley v. Henry Ford Health System*, No. 2:21-cv-11023-SFC-EAS (E.D. Mich.) (\$5 million settlement); *Gotta v. Stantec Consulting Servs. Inc.*, No. 20-cv -01865-PHX-GMS (D. Ariz. 2024) (\$2 million settlement); *Moler v. Univ. of Maryland Med. Sys.*, No. 1:21-CV-01824 (D. Md.) (\$3.25 million settlement); *Gaines v. BDO USA, LLP*, No. 1:22-cv -01878 (N.D. Ill. 2024) (\$2.25 million settlement); *Parker v. GKN N. Am. Servs., Inc.*, No. 21-cv -12468 (E.D. Mich.) (\$2.95 million settlement—preliminary approval pending); *Crawford v. CDI Corporation*, No. 2:20-cv -03317-CFK (E.D. Pa. 2020) (\$1.8 million settlement); *McNeilly v. Spectrum Health System*, No. 1:20-cv -00870-JMB-PJG (W.D. Mich. 2023) (\$6 million settlement); *Davis v. Washington Univ. in St. Louis*, No. 4:17-cv-01641-RLW (E.D. Mo. 2022) (\$7.5 million settlement); *Bilello v. Estee Lauder Inc.*, No. 1:20-cv-04770 (S.D.N.Y. 2024) (\$975,000 settlement); *Dover v. Yanfeng US Automotive Interior Systems I LLC*, No. 2:20-cv -11643 (D. Mich. 2023) (\$990,000 settlement); *Short v. Brown University*, No. 17-cv-

0318 WES (D.R.I. 2019) (\$3.5 million class settlement); and *Daugherty v. University of Chicago*, No. 17-cv -3736 (N.D. Ill. 2018) (\$6.5 million class settlement). In each of these cases, my firm's then-current rates were approved by the court.

5. With respect to the instant litigation, I am the partner in charge of overseeing this case at Edelson Lechtzin LLP. In this role, I investigated the publicly available information concerning the Taylor Corporation 401(k) Plan (the "Plan") and investigated the facts underlying the claims in this action. This investigation included reviewing the Plan's annual reports on Form 5500, as well as reviewing participants' account statements, Plan documents and disclosures available to Plan participants through the Plan's online portal, and interviewing Plan participants. In addition, I reviewed documents produced by the Plan Administrator pursuant to Section 104 of ERISA.

6. My law firm, Edelson Lechtzin LLP, specializes in class action litigation in federal and state courts throughout the United States. The qualifications and experience of Edelson Lechtzin LLP's attorneys are detailed in the Firm Resume attached hereto as **Exhibit A**.

7. The attorneys at Edelson Lechtzin have extensive knowledge of the procedural and substantive law at issue in this case. In particular, the firm's lawyers are familiar with the intricacies of class action procedure and ERISA litigation practice.

8. The parties exchanged Rule 26(a)(1) disclosures on October 19, 2023. On November 1, 2023, Plaintiffs served their first sets of document requests and interrogatories on Defendants, and Defendants responded to each on December 1, 2023.

9. On December 4, 2023, Defendants served their first sets of document requests and interrogatories on each named Plaintiff, and Plaintiffs timely responded to each on January 17, 2024.

10. Defendants provided Plaintiffs with extensive documentation in response to Plaintiffs' document requests, including meeting investment committee minutes and materials considered by the investment committee.

11. To assess the potential value of the claims, Class Counsel retained a consulting expert with extensive experience evaluating losses and damages involving defined contribution retirement plans. The expert calculated a damage estimate based on Plaintiffs' claims in the case.

12. On January 30, 2024, the Parties participated in a full day Zoom mediation before Robert A. Meyer of JAMS. Counsel for Defendants and Plaintiffs submitted detailed mediation statements and participated in the mediation. Over the course of several weeks following the mediation, the parties continued their negotiations with the assistance of Mr. Meyer.

13. On February 28, 2024, the Parties reached an agreement in principle to resolve Plaintiffs' claims and those of the Class. Thereafter, the Parties negotiated the detailed terms of the Stipulation and exhibits thereto.

14. After reviewing all the relevant information, Plaintiffs determined Defendants' failure to utilize the lowest-cost share classes available to the Plan resulted in damages estimated at \$5.1 million. This estimate reflected a best-case scenario for Plaintiffs and did not take into account any credits the Plan received from revenue sharing

arrangements. Plaintiffs would not be able to recover this amount unless Plaintiffs were successful in persuading the trier of fact that Plaintiffs' expert's analysis of damages was entirely correct and accurate, and all potential defenses were rejected. On the other hand, if the trier of fact were to agree with Defendants' analysis of damages and/or defenses, then Plaintiffs would potentially recover no damages whatsoever.

15. Plaintiffs also estimated – using a \$50 per participant recordkeeping and administration fee as a reasonable rate, that losses to the Plan through 2022 were \$2,148,042 before pre-judgment interest was added. However, this claim was dismissed and therefore is of minimal value in a settlement.

16. Defendants disagreed with Plaintiffs' calculation of damages and defended their decision to offer investment options with revenue sharing arrangements, which had higher gross expense ratios than share classes without revenue sharing, because all revenue sharing was credited back to the Plan and used to pay for recordkeeping and other administrative services, and any excess revenue sharing was distributed back to participants.

17. If the Settlement is not approved, a substantial amount of work will need to be completed, including completion of fact and expert discovery, class certification, dispositive motion practice, designation of witnesses and exhibits, preparation of pre-trial memoranda and proposed findings of fact and conclusions of law, presentation of witnesses and evidence at trial, and, depending on the trial court's ruling on the merits, briefing of the losing party's almost-certain appeal.

18. Taylor Corporation is a large company with enough assets to pay the Settlement. Accordingly, Plaintiffs did not discount the amount of the Settlement based on Defendants' ability to pay.

19. The proposed Settlement is fair and reasonable.

20. The hourly fees of Edelson Lechtzin LLP typically charges for its attorneys ranges from \$825 to \$1,100 per hour, which are the same rates that we would charge hourly fee-paying clients.

Reported Hours and Lodestar
Inception through July 5, 2024

Timekeeper	Professional Status	Hours	Rates	Total Lodestar
Edelson, Marc H.	Partner	11.4	\$1,100	\$12,540
Lechtzin, Eric	Partner	266.0	\$1,055	\$280,630
Savett, Shoshana	Sr. Counsel	235.2	\$850	\$199,920
Liberato Verderame	Sr. Counsel	16.8	\$875	\$14,700
Grand Total		529.4	-	\$507,790

21. Edelson Lechtzin LLP has also expended **\$11,484.48** in necessary expenses in the litigation of this matter as set forth in detail in the table below:

Expenses Incurred
Inception through July 5, 2024

Expense Category	Amount Incurred
eDiscovery (Nimble Systems)	\$ 827.50
Electronic Research (Westlaw, PACER)	\$ 1,301.25
Travel	\$ 3,105.73
Mediator	\$ 6,250.00
TOTAL EXPENSES	\$ 11,484.48

22. The expenses that we seek to recover in class action cases are the same types of expenses that we charge hourly fee paying clients. Class Counsel expects to incur certain

additional costs in this case until the settlement proceeds are fully distributed to Class Members.

23. With respect to Plaintiffs they have been actively engaged in the litigation of this case and devoted a significant amount of time to prosecuting this case. Among other things, Plaintiffs assisted in gathering Plan documents, account statements, and other facts and materials to assist us in prosecuting this case. They have also reviewed numerous court documents and authorized their filings and regularly requested and received status updates concerning the litigation and settlement negotiations. In addition, they responded to Defendants' document requests and interrogatories.

24. Class Counsel have not received any objections to the proposed Settlement from any Class Member. I have personally spoken with dozens of Class Members about the Settlement and most Class Members have expressed gratitude to for obtaining a recovery on their behalf.

25. Class Counsel's work on this case has not ended. Class Counsel continues to expend additional hours – that are neither part of this request for fees, nor part of the lodestar figure cross-check calculations – performing work in connection with Settlement approval, including in connection with the final approval hearing, responding to Class member inquiries, and technical matters involving Settlement administration.

The foregoing is true and correct to the best of my knowledge and belief.

Executed this 8th day of July 2024, in Newtown, Pennsylvania.

/s/Eric Lechtzin
Eric Lechtzin

EXHIBIT A

Edelson Lechtzin LLP -- Firm Resume

About the Firm

Edelson Lechtzin LLP is a national class action law firm based in suburban Philadelphia. The firm was founded by Managing Partners Marc Edelson and Eric Lechtzin, who have decades of experience litigating class actions and a strong track record of success. They lead a talented team of trial lawyers who possess diverse backgrounds and experience.

The firm represents investors in securities fraud class actions and shareholder derivative litigation. In addition, the firm advocates on behalf of consumers, employees, and businesses in class litigation involving anticompetitive business practices, ERISA retirement plans, unpaid wages & overtime claims, and consumer fraud (including data breach litigation).

Unpaid Wages and Overtime Class Actions

Edelson Lechtzin LLP attorneys have extensive experience litigating complex wage and hour class action lawsuits in courts across the country involving claims under the federal Fair Labor Standards Act (FLSA), and state wage and hour laws. The firm is currently lead or co-counsel in numerous wage and hour cases, including cases involving claims on behalf of coal miners for off-the-clock work under the FLSA and the state laws of Kentucky, Indiana, Illinois, and West Virginia. *See, e.g., Branson v. Alliance Coal, LLC, et al.*, No. 4:19-cv-00155-JHM-HBB (W.D. Kentucky) (\$15.25 million settlement pending preliminary approval). The firm is also lead or co-lead counsel in cases involving the failure to pay prevailing wages (*see, e.g., James King v. Glenn O. Hawbaker, Inc.*, Docket No. 21-0957 (Common Pleas Centre County, Pa.)); independent contractor misclassification (*see, e.g., Avant v. VXL Enterprises LLC*, No. 4:21-cv-02016-YGR (N.D. Cal.) (\$1.2 million settlement on behalf of healthcare workers who were allegedly misclassified as independent contractors and not paid overtime compensation)); claims for unpaid pre- and post-shift security screenings (*see, e.g., Stewart-Alexander v. Saks & Company LLC*, No. 3:2021-cv-02384 (C.D. Cal. Nov. 22, 2023) (\$450,000 settlement)); and claims under the Worker Adjustment and Retraining Notification Act (the “WARN Act”) (*see, e.g., In re: University of the Arts WARN Act Litigation*, No. 2:24-cv-02420 (E.D. Pa.)).

Antitrust & Unfair Competition Class Actions

Our experienced team of attorneys is dedicated to protecting the rights of individuals, businesses, and various governmental entities nationwide against companies that engage in anticompetitive practices in class action lawsuits. The firm is currently litigating numerous cases including: *In re Domestic Airline Travel Antitrust Litigation*, No. 1:15-mc-01404 (D. DC), *In re Cattle and Beef Antitrust Litigation*, No. 0:20-cv-01319 (D. NDIL), *In re Broiler Chicken Antitrust Litigation*, No. 1:16-cv-08637 (D. NDIL), *Miami Products & Chemical Co. v. Olin Corp.*, No. 1:19-cv-00385 (D. WDNY), *In re Crop Inputs Antitrust Litigation*, No. 4:21-md-02993 (D. EDMO) (member of the Executive Committee), *In re: Diisocyanates Litigation*, No. 2:18-mc-01001 (D. WDPA), *In re Deutsche Bank Spoofing Litigation*, No. 1:20-cv-03638 (D. NDIL), *Cospro Development Corp. v. International Flavors and Fragrances, Inc., et al.*, No. 2:230cv-03368 (D. NJ), *In re: Generic Pharmaceuticals Pricing Antitrust Litigation*, No. MDL 2724 (D. EDPA), *In re: Google Digital Advertising Antitrust Litigation*, No. 1:21-md-03010 (D. SDNY), *In re: Juul*

Labs, Inc. Antitrust Litigation, No. 3:20-cv-02345 (D. NDCA), *In re: Platinum and Palladium Antitrust Litigation*, No. 1:14-cv-09391 (D. SDNY), *In re: Pork Antitrust Litigation*, No. 0:18-cv-01776 (D. MN), *Mayor and City Council of Baltimore v. Merck Sharp & Dohme Corp.*, No. 2:23-cv-00828 (D. EDPA), and *Powell Prescription Center et al. v. Surescripts, LLC et al.*, No. 1:19-cv-06627 (D. NDIL).

Securities Fraud & Shareholder Derivative Litigation

In the area of securities fraud, Edelson Lechtzin LLP is Co-Lead Counsel in a securities fraud class action lawsuit against A Better Financial Plan and its affiliates, *Melchior v. Dean Vagnozzi, et al.*, No. 2:20-cv-05562 (E.D. Pa.), alleging violations of the federal Racketeer Influenced and Corruption Organizations Act (RICO), and state claims for fraud, breach of fiduciary duties, and civil conspiracy, to recover hundreds of millions of dollars of investments by individuals who were fraudulently induced by Defendants to purchase unregistered securities backed by risky merchant cash advance loans to small businesses.

Edelson Lechtzin LLP was also counsel in a shareholder derivative action on behalf of shareholders of FirstEnergy Corporation, *Miller v. Michael J. Anderson, et al.*, No.: 5:20-cv-01743 (N.D. Ohio), where the court approved a settlement for \$180 million and corporate governance reforms. The suit alleges that the FirstEnergy Board of Directors and certain officers breached their fiduciary duties to the company, were unjustly enriched, wasted corporate assets, and committed various violations of federal securities laws. It is further alleged that the various defendants engaged in a concerted effort to curtail losses from nuclear energy operations managed by a subsidiary in order to keep their positions with the company and to increase their compensation. In furtherance of their scheme Defendants sanctioned the corporate policy of illegal payments to government officials including the Ohio House Speaker, Larry Householder, and other individuals, which resulted in a significant reduction in shareholder value when it was subsequently exposed.

The firm also is counsel in *Yun v. Faraday Future Intelligent Electronic Inc.*, No. 2022-0510 (Del. Ch. Ct.) (direct action for breach of fiduciary duties on behalf of a proposed class of investors in a SPAC); *Ouyang v. Star Peak Sponsor LLC*, No. 2024-0302 (Del. Ch. Ct.) (direct claims for breach of fiduciary duties against sponsors of SPAC); *Schara v. Lanzatech Global Inc.*, (Del. Ch. Ct.) (direct claims for breach of fiduciary duties against sponsors of SPAC); and *Wuchter v. PropTech Partners II, LLC*, No. 2024-0596 (Del. Ch. Ct.) (direct claims for breach of fiduciary duties against sponsors of SPAC).

Employee Benefits & ERISA Litigation

The firm's successes in ERISA litigation include *Hundley v. Henry Ford Health System*, No. 2:21-cv-11023-SFC-EAS (E.D. Mich.) (\$5 million settlement); *Gotta v. Stantec Consulting Servs. Inc.*, No. CV-20-01865-PHX-GMS (D. Ariz. 2024) (\$2 million settlement); *Moler v. Univ. of Maryland Med. Sys.*, No. 1:21-CV-01824- (D. Md.) (\$3.25 million settlement); *Gaines v. BDO USA, LLP*, No. 1:22-cv-01878 (N.D. Ill. 2024) (\$2.25 million settlement— final approval pending); *Parker v. GKN N. Am. Servs., Inc.*, No. 21-12468 (E.D. Mich.) (\$2.95 million settlement – final approval pending); *Crawford v. CDI Corporation*, No. 2:20-cv-03317-CFK (E.D. Pa. 2020) (\$1.8 million settlement); *McNeilly v. Spectrum Health System*, No. 1:20-cv-

00870-JMB-PJG (W.D. Mich. 2023) (\$6 million settlement); *Bilello v. Estee Lauder Inc.*, No. 1:20-cv-04770 (S.D.N.Y. 2024) (\$975,000 settlement); and *Dover v. Yanfeng US Automotive Interior Systems I LLC*, No. 2:20-cv-11643 (D. Mich. 2023) (\$990,000 settlement).

The firm currently serves in leadership positions in numerous ERISA class actions across the country, including *Bugielski v. AT&T Servs., Inc.*, 76 F.4th 894 (9th Cir. 2023) (the court reversed a decision granting summary judgment for AT&T and held that a recordkeeping agreement with Fidelity was a prohibited transaction and, as such, AT&T was required to obtain from Fidelity disclosures of all compensation it received in connection with its provision of services to the Plan, including fees paid by third party service providers Financial Engines and BrokerageLink); *Packer v. Glenn O. Hawbaker, Inc.*, No. 4:21-CV-01747, 2023 WL 3851993, at *2 (M.D. Pa. June 6, 2023) (granting motion to certify a class of hourly wage employees who worked on prevailing wage contracts withing Pennsylvania between 2012 and 2018; class certified); *In re The American National Red Cross ERISA Litig.*, Master File No. 1:21-cv-00541 (D.D.C.); and *Luense v. Konica Minolta Business Solutions U.S.A., Inc.*, No. 2:20-cv-06827-JMV-MF (D.N.J.) (motion to dismiss denied in part; class certified)

Consumer Fraud Class Action Litigation

In the area of consumer fraud, the firm is actively engaged in protecting the rights of consumers in a variety of matters including defective products and automobiles, failure to honor service agreements and warranties, time share agreements and data breaches. Current cases include: *In re: Harvard Pilgrim Data Security Incident Litigation*, No. 1:23-cv-11211 (D. DMA), *Gutierrez v. Independent Living Systems, LLC*, No. 1:23-cv 21221 (D. SDFL), *Maria Gregory, et al. v. Johns Hopkins University et al.*, No. 1:23-cv-01854 (D. MD), *Humphres, et al. v. Apria Healthcare, LLC*, No. 1:23-cv-01147 (D. SDIN), *Nelson et al. v. Connexin Software, Inc.*, No. 2:27-cv-04676 (D. EDPA) (member of the Executive Committee) and *Renaldo Ellis et al. v. Pension Benefit Information, LLC et al.*, No. 0:23-cv-02139 (D. MN).

Attorney Biographies

Eric Lechtzin is a Managing Partner of Edelson Lechtzin LLP and his practice focuses on securities fraud litigation, ERISA retirement plan class actions, and wage and hour class and collective actions. Mr. Lechtzin received his J.D. from the Temple University Beasley School of Law in 1991. Prior to forming Edelson Lechtzin LLP in early 2020, Mr. Lechtzin was a Shareholder at Berger Montague PC.

Mr. Lechtzin has served as the Pennsylvania State Chair for the National Association of Consumer Advocates since 2017. He has been named a “Super Lawyer” in Pennsylvania for Class and Mass Tort Litigation every year since 2017, he is AV Preeminent rated by Martindale-Hubbell, and he has received a perfect 10.0 rating by Avvo.com.

In the area of securities fraud, Mr. Lechtzin was a member of the litigation team in *In re: Oppenheimer Rochester Funds Group Secs. Litig.*, No. 09-md- 02063-JLK (D. Col.), which settled for \$89.5 million. Mr. Lechtzin served as lead counsel in *In re Transkaryotic Therapies, Inc. Secs. Litig.*, No. 03-CV-10165-RWZ (D. Mass.), which settled for \$50 million after

successfully obtaining class certification. Other successful securities fraud class actions in which Mr. Lechtzin had leadership roles include *The Eshe Fund Group v. Fifth Third Bancorp*, No. 1:08-CV-539 (S.D. Ohio) (\$16 million settlement); *In re Hemispherx Biopharma, Inc. Litig.*, 09-CV-5262-PD (E.D. Pa.) (\$3.6 million settlement); *In re RenaissanceRe Holdings Ltd. Secs. Litig.*, No. 1:05-CV-6764 (S.D.N.Y.) (\$13.5 million settlement); *In re Global Crossing Access Charge Litig.*, No. 04-MD-1630 (S.D.N.Y.) (\$15 million settlement); and *In re Van der Moolen Holding N.V. Secs. Litig.*, No. 1:03-CV-8284 (S.D.N.Y.) (\$8 million settlement).

In the area of ERISA class actions, Mr. Lechtzin co-authored an amicus brief to the U.S. Supreme Court in *Retirement Plans Committee of IBM v. Jander*, 140 S. Ct. 592 (2020), in which he argued successfully that the Court should not alter the standard to plead claims against fiduciaries of an employee stock ownership plans alleging that such fiduciaries should have made earlier public disclosures of adverse insider information. Mr. Lechtzin's successful appeals also include *Bugielski v. AT&T Servs., Inc.*, 76 F.4th 894 (9th Cir. Aug. 4, 2023) (reversing a decision granting summary judgment for AT&T); *Wilcox v. Georgetown Univ.*, 987 F.3d 143 (D.C. Cir. 2021) (Order dismissing the case was vacated by the Court of Appeals and remanded to the District Court). Mr. Lechtzin's successful ERISA cases also include *Daugherty v. Univ. of Chicago*, 2018 WL 1805646 (N.D. Ill. 2018) (\$6.5 million settlement of ERISA claims alleging breach of fiduciary duties by incurring excessive expenses and retaining underperforming funds); and *Nicolas v. The Trustees of Princeton University*, No. 3:17-cv-03695 (D. N.J.) (member of the team that secured a \$5.8 million settlement where plaintiffs alleged that fiduciaries of the 403(b) selected imprudent investments and caused the plan to incur unreasonable recordkeeping fees).

Mr. Lechtzin's successful representations in unpaid wages and overtime cases include *Arrington v. Optimum Healthcare IT*, 2018 WL 5631625 (E.D. Pa. 2018), where the plaintiffs' litigation team obtained a \$4.9 million settlement of class action that alleged failure to pay overtime compensation to IT consultants. In *Meyer v. The LandTek Group, Inc.*, Case No. 2:17-cv-00161-AYS (E.D.N.Y.), Mr. Lechtzin successfully recovered wages for unpaid off-the-clock time on behalf of a group of construction laborers who were "engaged to wait" before their shifts.

Among his successful representations in the area of consumer protection litigation is *Silver v. Fitness Intern., LLC*, No. 10-cv-2326-MMB, 2013 WL 5429293 (E.D. Pa.), a class action against a national health club chain that resulted in substantial changes in the company's membership cancellation policies. Lechtzin was co-lead counsel in *Stromberg v. Ocwen Loan Servicing, LLC*, No. 15-04719, 2017 WL 2686540 (N.D. Cal. 2017), where he represented a group of California borrowers who alleged that certain lenders had failed to timely reconvey the deed of trust documents, as required by Cal. Civ. Code § 2941(b), and ultimately obtained a settlement that paid each member of the class more than 66 percent of their total recoverable damages without the need to submit claim forms.

Mr. Lechtzin is a member of the state bars of California, New Jersey, and Pennsylvania, and he is admitted to practice before numerous federal courts across the country.

Marc H. Edelson is a Managing Partner of Edelson Lechtzin LLP, leading the firm's practices in antitrust law, defective drugs & medical devices, and property insurance litigation. Mr. Edelson received his J.D. from the University of California, Los Angeles School of Law, in 1987 and his B.S. in Economics from the Wharton School of The University of Pennsylvania, cum laude in 1984. He has practiced class action litigation for over 35 years and has been appointed to leadership roles in many MDL cases. In addition, Mr. Edelson has been named a "Super Lawyer" in Pennsylvania for Class and Mass Tort Litigation.

Mr. Edelson's MDL experience in pharmaceutical cases includes an appointment in *In re Pharmaceutical Industry Average Wholesale Price Litig.*, MDL No. 1456, as one of the four lead counsel firms. Mr. Edelson was one of the first attorneys to initiate a series of class actions on behalf of end payors against numerous pharmaceutical defendants which were eventually consolidated into MDL 1456. The case involved an in-depth analysis of pharmaceutical pricing and resulted in numerous settlements totaling \$341,000,000.

Additionally, Mr. Edelson served as co-lead counsel in *New England Carpenters Health Benefit Fund v. First DataBank, Inc. and McKesson Corp.*, C.A. No. 05-11148 (D. Mass), and *District 37 Health and Securities Fund v. Medi-Span*, C.A. No. 07-10988 (D. Mass). This case was against pharmaceutical wholesaler McKesson Corporation and pharmaceutical publishers First DataBank and Medi-Span. The case focused on unlawful drug pricing markups of various drugs resulting in overpayments by end payors. The case settled for \$350,000,000 in addition to an agreement to roll back drug prices by five percent (5%) resulting in additional end payor cost savings totaling hundreds of millions of dollars.

Mr. Edelson has also served as co-lead counsel in additional pharmaceutical cases including *In re Ciprofloxacin Hydrochloride Antitrust Litig.*, MDL 1383 (EDNY); *Sandhaus v. Bayer AG*, No. 00-cv-6193 (Kansas State Court); *In re Premarin Antitrust Litigation*, No. 1:01-cv-00447 (SD Ohio), and *Blevins v. Wyeth Ayerst Laboratories, Inc.*, No. 324380 (Superior Court State of California).

Mr. Edelson was appointed one of the co-lead counsel in *In re Western States Wholesale Natural Gas Antitrust Litig.*, MDL 1566 (D Nevada) and *In re HELOC Minimum Payment Calculation Litig.*, No. 15-cv-00267 (EDPA).

Mr. Edelson has served as a member of the Executive Committee in *In re Copper Antitrust Litig.*, MDL 1301 (WD Wisc.); *In re CertainTeed Corp. Roofing Shingle Product Litig.*, MDL 1817 (EDPA); and *In re HP Inkjet Printer Litig.*, No. C053580JF (N.D. Cal.).

Liberato Verderame, a Senior Counsel at Edelson Lechtzin LLP, has practiced extensively in the area of class action litigation for almost 20 years handling a variety of cases involving antitrust, consumer, ERISA and wage and hour issues. He has prosecuted both class action and individual plaintiff's claims in federal courts nationwide and has litigated successful appeals in both Pennsylvania's Commonwealth and Superior Courts and New Jersey's Appellate Division.

Mr. Verderame attended Villanova University (B.A., 1994) and Villanova University School of Law (J.D., 1997). He is admitted to practice in Pennsylvania and New Jersey, and numerous federal courts.

Since joining Edelson Lechtzin LLP and its predecessor in 2005, he has represented plaintiffs in several national class action cases including *In Re: Generic Pharmaceuticals Pricing Antitrust Litigation*, MDL No. 2724 (E.D. Pa.); *Pharmaceutical Industry Average Wholesale Price Litigation*, MDL No. 1456 (D. Mass.); *In re: Fedloan Student Loan Servicing Litigation*, MDL No. 18-2833 (E.D. Pa.) (Plaintiffs Steering Committee); *In Re: Refrigerant Compressors Antitrust Litigation*, MDL 2042 (E.D. Mich.); *In Re: Western Areas Wholesale Natural Gas Antitrust Litigation*, MDL-1566 (D. Nev.); *In Re: Yahoo! Litigation*, 06-cv-2737 (C.D. Cal.); *Kent v. Hewlett-Packard Company*, 5:09-cv-05341 (N.D. Cal.); *New England Carpenters Health Benefits Fund v. First Databank, Inc.*, 1:05-cv-11148 (D. Mass.); *OSB Antitrust Litigation*, 06-CV-00826 (E.D. Pa.); and *Leeds v. IKO Manufacturing, Inc.*, No: 2:17-cv-00339 (E.D. Pa.).

Mr. Verderame also represents individual plaintiffs regarding insurance coverage, breach of contract and bad faith claims, personal injury, and other matters. He serves as lead trial counsel and obtained a jury verdict that was the largest insurance coverage claim reported in Pennsylvania in 2016.

Shoshana Savett, a Senior Counsel at Edelson Lechtzin LLP, graduated from Temple University Beasley School of Law in 2003. Prior to joining Edelson Lechtzin, Ms. Savett was Senior Counsel at Berger Montague PC. Ms. Savett has focused on complex litigation throughout her career, representing investors in securities fraud class actions, consumers in class actions involving unlawful and deceptive practices, as well as employees whose wages have been unlawfully withheld, in class and collective actions.

Ms. Savett has been named a “Super Lawyer” in Pennsylvania for Class and Mass Tort Litigation in 2024, and she was selected to Super Lawyers Rising Stars in 2014 – 2017.

Among her notable successes, Ms. Savett helped litigate the following cases: *Lee v. Enterprise Leasing Co.-West*, 2015 WL 2345540 (D. Nev. May 15, 2015), and 300 F.R.D. 466 (D. Nev. 2014), and 30 F.Supp.3d 1002 (D. Nev. 2014) (granting plaintiffs’ motions for summary judgment, class certification, and approval of settlement where class members received 80% of their alleged damages, in consumer class action alleging overcharges on airport car rentals); and *Hasemann v. Gerber Products Co.*, 331 F.R.D. 239 (E.D.N.Y. 2019) (granting class certification to purchasers of infant formula in New York and Florida, who allege improper market practices).

Ms. Savett is a member of the bars of Pennsylvania and New Jersey.

Sati O. Gibson, an associate of Edelson Lechtzin LLP, received her J.D. from Boston College Law School in 2002 and her B.A. in Politics from Oberlin College in 1999. Ms. Gibson’s practice focuses on all aspects of e-discovery in complex litigation.

Previously, Ms. Gibson worked as an attorney for Legal Aid of Southeastern Pennsylvania, where she represented the senior population in consumer protection matters. She also worked at Kessler Topaz Meltzer & Check LLP as a staff attorney focusing on discovery in securities fraud litigation. She has spent the last 10 years focusing on class action litigation including antitrust and unfair competition law.

Ms. Gibson is a member of the bar of the Commonwealth of Pennsylvania and the United States District Court for the Eastern District of Pennsylvania.

Staff Attorneys

In addition to our partners, senior counsel, and associates, Edelson Lechtzin LLP is assisted by a team of staff attorneys who provide extensive litigation support in complex class actions.

[1] See, e.g., DiStefano N., *Facing fraud lawsuit, Montco financial salesman Dean Vagnozzi turns against his longtime lawyer*, The Philadelphia Inquirer (Jun. 28, 2021); Berman, Jeff, *Advisor Known for Unconventional Advice Hit With RICO Suit*, ThinkAdvisor (Nov. 13, 2020); DiStefano, Joseph N., *Investors sue King of Prussia financial adviser Dean Vagnozzi and his lawyer*, The Philadelphia Inquirer (Nov. 10, 2020); and Arvedlund, Erin, *How Philly investors were drawn into what SEC alleges is \$500 million fraud*, The Philadelphia Inquirer (Aug. 12, 2020).