

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re U. S. Steel Consolidated Cases

Civil Action No. 17-579

Judge Cathy Bissoon

**LEAD COUNSEL’S MOTION FOR AWARD OF ATTORNEYS’ FEES AND
LITIGATION EXPENSES, AND SERVICE AWARDS TO PLAINTIFFS PURSUANT TO
15 U.S.C. §78u-4(a)(4)**

Lead Counsel respectfully submits this Motion for Award of Attorneys’ Fees and Litigation Expenses, and Service Awards to Plaintiffs Pursuant to 15 U.S.C. §78u-4(a)(4) for counsel and Plaintiffs’ work on behalf of the Class in achieving the proposed Settlement. As set forth more fully in Plaintiffs’ accompanying Motion for Final Approval of Class Action Settlement and Plan of Allocation and accompanying memorandum of law, the \$40 million Settlement represents an excellent result for the Settlement Class and is the result of nearly five years of hard-fought litigation.

Lead Counsel’s request for an award for attorneys’ fees of one-third of the common fund, or \$13,333,333.33, represents a .81 negative multiplier of Plaintiffs’ Counsel’s lodestar and is well within the range approved in similar securities class action cases at this stage of the proceedings (litigated through merits and expert discovery). Lead Counsel also requests payment of expenses incurred in connection with the prosecution of this litigation in the aggregate amount of \$2,711,338.12, which were reasonable and necessary to Plaintiffs’ prosecution of the claims and achieving the Settlement and are of the type routinely approved in securities class actions.

Finally, Lead Plaintiff Vrakas and additional Plaintiff Reed seek awards of \$70,000 and \$10,000, respectively, for a total of \$80,000, in connection with their representation of the Class

pursuant to 15 U.S.C. §78u-4(a)(4). These requests are fair and reasonable, and within the range of fees, expenses, and class representative awards typically granted in similar matters.

As of the date of this motion, there have been no objections to the requested fee award, expenses, or service awards to Plaintiffs. Plaintiffs have conferred with the U. S. Steel Defendants, through counsel, and the U. S. Steel Defendants take no position on Lead Counsel's request for attorneys' fees and/or Litigation Expenses and/or any award to pay the costs and expenses of Plaintiffs.

Plaintiffs' Motion is supported by the accompanying Memorandum of Law in Support of Motion for Award of Attorneys' Fees and Litigation Expenses, and Service Awards to Plaintiffs Pursuant to 15 U.S.C. §78u-4(a)(4), the Declaration of Shannon L. Hopkins and accompanying exhibits and all other filings in the record. Plaintiffs further submit a proposed order herewith.

DATED: February 6, 2023

Respectfully submitted,

LEVI & KORSINSKY, LLP

By: /s/ Shannon L. Hopkins
Shannon L. Hopkins

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*Lead Counsel for Plaintiffs Christakis Vrakas and
Leeann Reed and Lead Counsel for the Class*

-and-

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Liaison Counsel for Plaintiffs and the Class

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2023, I served a copy of the foregoing document on all appearing counsel through the Court's ECF system.

/s/ Shannon L. Hopkins
Shannon L. Hopkins

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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**[PROPOSED] ORDER AWARDING ATTORNEYS' FEES,
REIMBURSEMENT OF EXPENSES, AND INCENTIVE AWARDS TO PLAINTIFFS**

WHEREAS, this matter came before the Court on March 20, 2023 (the “Settlement Hearing”), on Lead Counsel’s motion for an award of attorneys’ fees, reimbursement of expenses, and incentive awards to Plaintiffs (the “Motion”). The Court, having considered all matters submitted to it prior to, during, and following the Settlement Hearing; and it appearing that the Claims Administrator posted a copy of the notice and claim form, substantially in the form approved by the Court (the “Notice” and the “Claim Form”), to a website dedicated to the administration of the settlement of this action; and that copies of the Notice and Claim Form providing notice of the hearing were mailed to at least 315,783 potential Settlement Class Members and nominees; and that a summary notice of the hearing (the “Summary Notice”), substantially in the form approved by the Court, was published in *Investor’s Business Daily* and transmitted over *PR Newswire*; and the Court having considered and determined the fairness and reasonableness of the award of attorneys’ fees, expenses, and Plaintiffs’ awards requested;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. This Order incorporates and makes a part hereof: (i) the Stipulation and Agreement of Settlement (the “Stipulation”), dated May 20, 2022; and (ii) the Notice, which was filed with

the Court therewith. Capitalized terms not defined in this Order shall have the meaning set forth in the Stipulation.

2. This Court has jurisdiction over the subject matter of the Action and over all Parties to the Action, including Settlement Class Members.

3. Settlement Class Members were notified that Lead Counsel would be applying for an award of attorneys' fees and expenses, and further, that such application also might include a request for an award to Lead Plaintiff Christakis Vrakas and plaintiff Leeann Reed, which payment would include, but would not be limited to, reimbursement of their reasonable costs and expenses related to their representation of the Settlement Class. The form and method of notifying the Settlement Class of the motion for an award of attorneys' fees and reimbursement of expenses satisfied the requirements of Rules 23 and 54 of the Federal Rules of Civil Procedure, the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4, as amended, due process, and any other applicable law; constituted the best notice practicable under the circumstances; and constituted due and sufficient notice to all persons and entities entitled thereto.

4. Lead Counsel's Motion is granted, and Plaintiffs' Counsel are hereby awarded from the Settlement Fund: (i) attorneys' fees in the amount of \$_____ ; and (ii) payment of litigation expenses in the amount of \$_____, which sums the Court finds to be fair and reasonable.

5. In accordance with 15 U.S.C. § 78u-4(a)(4), the Court hereby awards incentive payments from the Settlement Fund to Lead Plaintiff Christakis Vrakas and plaintiff Leeann Reed, in connection with their representation of the Settlement Class, in the following amounts:

Christakis Vrakas	\$ _____
Leeann Reed	\$ _____

6. The award of attorneys' fees and expenses, as well as the incentive awards to

Plaintiffs, including but not limited to Plaintiffs' costs and expenses, shall be immediately payable from the Settlement Fund, subject to the terms, conditions, and obligations of the Stipulation.

7. In making the awards of attorneys' fees, litigation expenses, and reimbursement of Plaintiffs' costs and expenses to be paid from the Settlement Fund, the Court has considered and found that:

- a. The Settlement constitutes a favorable result for the Settlement Class as it created a common fund of \$40.0 million in cash from which numerous Settlement Class Members who submit acceptable Proofs of Claim will benefit;
- b. The requested attorneys' fees and payment of litigation expenses have been reviewed and approved as fair and reasonable by Plaintiffs who have been directly involved in the prosecution and resolution of the Action and who have substantial interests in ensuring that any fees and expenses paid to counsel are duly earned and not excessive;
- c. Notice was disseminated to putative Settlement Class Members stating that counsel would be submitting an application for attorneys' fees in an amount not to exceed one-third, or 33 and 1/3% of the Settlement Amount, and payment of expenses incurred in connection with the prosecution of this Action in an amount not to exceed \$3,300,000, and that such application also might include an incentive payment, which payment includes but is not limited to reimbursement of Plaintiffs' reasonable costs and expenses directly related to their representation of the Class. To date, no Settlement Class Members have filed an objection to that application for fees and

expenses;

- d. Plaintiffs' Counsel have expended substantial time and effort pursuing the Action on behalf of the Settlement Class;
- e. The Action raised many complex factual and legal issues;
- f. Plaintiffs' Counsel assumed substantial risk by pursuing the Action on a contingent basis, having received no compensation during the Action, and expecting any fee award would be contingent on the result achieved;
- g. As set forth in the Motion, Plaintiffs' Counsel devoted over 23,690.37 hours to the prosecution of the Action;
- h. The fee awarded results in a negative lodestar multiplier of .81 which confirms the reasonableness of the requested fee;
- i. Public policy strongly favors rewarding firms for bringing successful securities class action litigation;
- j. The amounts to be paid from the Settlement Fund for attorneys' fees, expenses, and Plaintiffs' incentive payments are fair and reasonable and consistent with awards in similar cases.

8. Any appeal or any challenge affecting this Court's approval regarding any attorneys' fee and expense application shall in no way disturb or affect the finality of the Judgment entered with respect to the Settlement.

9. Exclusive jurisdiction is hereby retained over the subject matter of this Action and over all parties to the Action, including the administration and distribution of the Net Settlement Fund to Settlement Class Members.

10. In the event that the Settlement is terminated or does not become Final or the

Effective Date does not occur in accordance with the terms of the Stipulation, this Order shall be rendered null and void to the extent provided by the Stipulation and shall be vacated in accordance with the Stipulation.

SO ORDERED this _____ day of _____, 2023

BY THE COURT:

Honorable Cathy Bissoon
UNITED STATES DISTRICT JUDGE