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Attorneys for Defendant Oregon One, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

ROBERT D. BYRNE, individually and on
behalf of all others similarly situated,

Plaintiffs,

vs.

OREGON ONE, INC.

Defendant.

Case No.: 3:16-CV-01910-SB

STIPULATION AS TO CLASS COUNSEL'S
MOTION FOR AN AWARD OF ATTORNEY
FEES, EXPENSES AND CLASS
REPRESENTATIVE SERVICE AWARD (Dkt.
81)

Class Representative, Class Counsel and Defendant in the above entitled case do hereby stipulate and agree as to Class Counsel's Motion for an Award of Attorney Fees, Expenses and Class Representative Service Award (Dkt. # 81) (hereinafter "Class Counsel's Motion"):

1. On October 6, 2018, Class Counsel's Motion was filed requesting the Court to award

PAGE 1. STIPULATION AS TO CLASS COUNSEL'S MOTION FOR AN AWARD OF ATTORNEY FEES, EXPENSES AND CLASS REPRESENTATIVE SERVICE AWARD

a. Class Counsel \$108,059.00 for attorney fees and \$4,703.17 for expenses;
and

b. Representative Plaintiff, Robert D. Byrne a service award of \$3,500.00.

2. Pursuant to the Settlement Agreement, Defendant reserved the right to oppose Class Counsel's application for payment of attorneys' fees, costs and expenses. (Dkt. # 74-1, p. 6, ¶ 2.03.1).

3. Pursuant to the Settlement Agreement, Defendant agreed not to oppose Class Counsel's application for a Representative Plaintiff Service Award that does not exceed \$3,500.00. (Dkt. # 74-1, p. 6, ¶ 2.03.2).

4. Since Representative Plaintiff Service Award that does not exceed \$3,500.00, Defendant does not oppose Class Counsel's application for a Representative Service Award of \$3,500.00.

5. Defendant agrees not to oppose Class Counsel's request for attorneys' fees, costs and expenses that do not exceed \$90,000.00.

6. In consideration for Defendant foregoing any objection or filing a response in opposition to Class Counsel's Motion and receiving timely payments as specified in Paragraph 8 below, Class Counsel agrees to reduce the total amount that Class Counsel requested for attorneys' fees, costs and expenses in Class Counsel's Motion to \$90,000.00. As a result of Class Counsel's agreement to reduce the total amount requested for attorneys' fees, costs and expenses in Class Counsel's Motion to \$90,000.00, Defendant does not oppose or object to Class Counsel's request for attorneys' fees, costs and expenses in the sum of \$90,000.00.

7. Subject to Paragraph 5, Defendant does not oppose the hourly rates requested as requested in Class Counsel's Motion: \$410 per hour for Kelly D. Jones and \$400 per hour for Bret A. Knewtonson.

8. In full payment of the \$90,000 stipulated to in Paragraph 6, Defendant agrees to pay Class Counsel the following amounts by the following dates:

- a. \$80,000.00 on or before January 31, 2019, and
- b. \$10,000.00 on or before March 29, 2019.

So Stipulated:

s/ Kelly Donovan Jones
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