

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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IN RE JPMORGAN PRECIOUS METALS  
SPOOFING LITIGATION

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THIS DOCUMENT RELATES TO:  
ALL ACTIONS

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Case No.: 1:18-cv-10356

Hon. Gregory H. Woods

**DECLARATION OF DARYL F. SCOTT ON BEHALF OF SCOTT+SCOTT  
ATTORNEYS AT LAW LLP IN SUPPORT OF CLASS COUNSEL’S MOTION FOR  
AWARD OF ATTORNEYS’ FEES AND PAYMENT OF EXPENSES**

I, Daryl F. Scott, pursuant to 28 U.S.C. §1746, hereby declare as follows:

1. I am a partner with the law firm Scott+Scott Attorneys at Law LLP (“Scott+Scott”).

I respectfully submit this declaration in support of Class Counsel’s<sup>1</sup> Motion for an Award of Attorneys’ Fees and Payment of Expenses in connection with services rendered in the above-captioned action (“Action”).

2. The statements herein are true to the best of my personal knowledge, information, and belief based on Scott+Scott’s books and records and information received from its attorneys and staff. Scott+Scott’s time and expense records are prepared and maintained in the ordinary course of business.

3. Scott+Scott serves as additional Plaintiffs’ counsel for Plaintiffs in this Action, including Dominick Cognata, Melissinos Trading, LLC, Casey Sterk, Kevin Maher, Kenneth Ryan, Robert Charles Class A, L.P., Robert L. Teel, Mark Serri, Yuri Alishaev, Abraham Jeremias, and Morris Jeremias (“Class Plaintiffs”).

4. Scott+Scott’s time and expense records (including, where necessary, backup documentation) have been reviewed to confirm both the accuracy of the entries as well as the necessity for and reasonableness of the time and expenses expended in this litigation. As a result of this review, certain reductions were made to both time and expenses either in the exercise of billing judgment, directions from Class Counsel, and/or my firm’s practice. Accordingly, the time reflected in Scott+Scott’s lodestar calculation and the expenses for which payment is sought are reasonable in amount and were necessary to prosecute the Action and resolve the settlement before the Court.

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<sup>1</sup> On December 20, 2021, the Court appointed Lowey Dannenberg, P.C. as “Class Counsel” in this action. ECF No. 91, ¶4.

5. During this litigation, and as detailed herein, Scott+Scott worked on assignments that it was specifically directed to perform by Class Counsel.

6. Set forth below in ¶8 is a summary reflecting the amount of time (after applicable reductions) Scott+Scott attorneys and professional staff worked on the Action from the inception of the case through December 20, 2021, and the corresponding lodestar value of that work. The schedule in ¶8 was prepared based upon daily time records maintained by Scott+Scott attorneys and professional support staff in the ordinary course of business and the lodestar calculations are based on the firm's current billing rates. For personnel no longer employed by Scott+Scott, the lodestar calculation is based on the billing rates for such personnel in his or her final year of employment.

7. The services Scott+Scott performed on behalf of Class Plaintiffs and the putative class include, but are not limited to, the following:

- document review projects, including reviewing clients' trading records and confirmatory discovery produced by JPMorgan pursuant to the settlement agreement;
- legal research and analysis relating to settlement issues and assisting Class Counsel in the preparation of Plaintiffs' mediation statement;
- attending the mediation at the direction of Class Counsel; and
- legal research and analysis relating to the drafting of the term sheet, settlement agreement, and preliminary approval papers.

8. Scott+Scott's total fee-compensable time for which it seeks an award of attorneys' fees is summarized below.

Attorneys	Role <sup>2</sup>	Rates (\$)	Hours from inception to 12/20/2021	Lodestar (\$) from inception to 12/20/2021
Chris Burke	P	1295.00	42.10	54,519.50
Deborah Clark-Weintraub	P	1295.00	20.60	26,677.00
Michael Burnett	P	1095.00	25.70	28,141.50
Kristen Anderson	P	995.00	57.40	57,113.00
Max Schwartz	P	995.00	56.50	56,217.50
Randy Moonan	A	650.00	29.30	19,045.00
Jeff Jacobson	A	550.00	440.20	242,110.00
Brandon Zapf	SA	400.00	265.60	106,240.00
<b>Other Legal Professionals</b>				
Elena Dowd	LSS	395.00	75.00	29,625.00
<b>TOTALS</b>			<b>1,012.40</b>	<b>619,688.50</b>

9. The time for which my firm is requesting an award of legal fees totals 1,012.40 hours. The lodestar value of these professional services totals \$619,688.50.

10. The above billing rates for Scott+Scott's attorneys and professional support staff are the firm's current billing rates. The billing rates for attorneys and professional support staff in my firm are the firm's standard billing rates charged for contingent cases. Timekeepers with less than 10 hours were excluded. For personnel no longer employed by Scott+Scott, the lodestar calculation is based on the billing rates for such personnel in his or her final year of employment. The time and lodestar spent preparing the Fee and Expense Application were also excluded from the above values.

11. The firm's lodestar does not include charges for expense items. Expense items are billed separately, and such charges are not duplicated in the firm's current billing rates. Further,

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<sup>2</sup> "P" refers to Partners. "A" refers to Associates. "SA" refers to Staff Attorneys. "LSS" refers to Litigation Support Specialists.

expense items do not contain overhead costs and do not contain a surcharge over the amount paid to vendor(s).

12. As shown in the below schedule, Scott+Scott has incurred a total of \$1,495.51 in expenses from inception through December 20, 2021, for which it seeks to be reimbursed from the Settlement Fund.

Expense Categories	Cumulative Expenses (\$)
Court Costs	400.00
Hearing Transcripts	15.60
Computer Research	111.20
Photocopies - in House	232.75
Service of Process	590.30
Messenger/delivery	13.14
Telephone/telecopier	132.52
<b>TOTAL</b>	<b>1,495.51</b>

13. The above schedule was prepared based upon expense records reflected in the books and records of Scott+Scott. These books and records are prepared from expense vouchers, check records, receipts, and other source materials and are an accurate record of the expenses paid or incurred. The expense total does not include the contribution Scott+Scott made to the litigation fund established by Class Counsel to fund various litigation expenses.

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

Executed on May 6, 2022  
Richmond, Virginia



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Daryl F. Scott