

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

IN RE JPMORGAN PRECIOUS METALS
SPOOFING LITIGATION

Case No.: 1:18-cv-10356

Hon. Gregory H. Woods

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**DECLARATION OF LINDA P. NUSSBAUM ON BEHALF OF NUSSBAUM LAW
GROUP, P.C. IN SUPPORT OF CLASS COUNSEL'S MOTION FOR AWARD OF
ATTORNEYS' FEES AND PAYMENT OF EXPENSES**

I, Linda P. Nussbaum, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am the managing director of Nussbaum Law Group, P.C. (“NLG”). I respectfully submit this declaration in support of Class Counsel’s¹ 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 NLG’s books and records, and information received from its attorneys and staff. Nussbaum Law Group’s time and expense records are prepared and maintained in the ordinary course of business.

3. NLG 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. NLG jointly serves with Greenwich Legal Associates, LLC (“GLA”) as counsel for Plaintiffs Casey Sterk and Kevin Maher, and consistent the Rules of Professional Conduct (22 N.Y.C.R.R. § 1200.0) Rule 1.5(g), their joint representation agreements, which were executed by Messrs. Sterk and Maher, provide that NLG will pay GLA up to 10% of NLG’s share of any Court-awarded attorneys’ fees. This fee sharing arrangement does not impact the amount of attorneys’ fees to be sought or limit the benefits arising to the Settlement Class from the Settlement.

5. I am the director who oversaw my firm’s involvement in the Action. NLG’s time and expense records (including, where necessary, backup documentation) have been reviewed to

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

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 or to conform to NLG's agreement with Messrs. Sterk and Maher, directions from Class Counsel and/or my firm's practice. Accordingly, the time reflected in NLG'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.

6. During the course of this litigation, and as detailed herein, NLG worked on assignments that it was specifically directed to perform by Class Counsel.

7. Set forth below in ¶ 9 is a summary reflecting the amount of time (after any applicable reductions) NLG's 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 ¶ 9 was prepared based upon daily time records maintained by NLG attorneys and professional support staff in the ordinary course of business, and the lodestar calculations are based on the firm's current hourly billing rates.

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

- Investigation of the underlying facts and filing one of the first complaints.
- Assisted with the consolidation briefing.
- Conducted legal research and drafted memoranda regarding pre-motion to dismiss discovery.
- Collection of client documents and transactional data.
- Conducted legal research and drafted letters regarding the DOJ stay.

- Conducted legal research and drafted memoranda regarding victims compensation funds.
- Participated in calls and editing sessions regarding the term sheet.
- Participated in the confirmatory discovery review process.

9. NLG's total fee compensable time for which it seeks an award of attorneys' fees is summarized below.

Attorneys	Role	Rates	Hours from inception to 12/20/2021	Lodestar from inception to 12/20/2021
Nussbaum, Linda	Partner	\$995.00	117.4	\$ 116,813.00
Cohen, Bart	Partner	\$925.00	40.0	\$ 37,000.00
Schwaiger, Susan (Confirmatory Discovery)	Of Counsel	\$400.00	307.8	\$ 123,120.00
Schwaiger, Susan	Of Counsel	\$800.00	3.2	\$ 2,560.00
Foto, Marc	Associate	\$595.00	79.2	\$ 47,124.00
Isquith, Fred	Of Counsel	\$750.00	38.6	\$ 28,950.00
Moran, Peter (Confirmatory Discovery)	Senior Associate	\$400.00	60.5	\$ 24,200.00
Sanchez, Christopher	Of Counsel	\$750.00	55.3	\$ 41,475.00
Yang, Hoyoung	Associate	\$425.00	19.7	\$ 8,372.50
Paralegals and Legal Assistants				
Kaminer, Matthew	Paralegal	\$175.00	14.8	\$ 2,590.00
TOTALS			736.50	\$ 432,204.50

10. The total time for which my firm is requesting an award of legal fees is 736.5 hours.

The total lodestar value of these professional services is \$432,204.50.

11. The above hourly rates for NLG's attorneys and professional support staff are the firm's current hourly rates, except for any document review work, which has been capped at \$400 per hour. The hourly rates for attorneys and professional support staff in my firm are the same as the regular rates charged for their services in contingent fee matters. Timekeepers with less than 10 hours were excluded. For personnel no longer employed by NLG, 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.

12. The firm's lodestar figures do 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, expense items do not contain any general overhead costs and do not contain a surcharge over the amount paid to the corresponding vendor(s).

13. As detailed and categorized in the below schedule, NLG has incurred a total of \$1,228.47 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
Computer Research	\$755.37
Photocopies - in House	\$73.10
TOTAL	\$1,228.47

14. The above schedule was prepared based upon expense records reflected in the books and records of NLG. These books and records are prepared from expense vouchers, check records, receipts, and other source materials and are an accurate record of the expenses incurred. The expense total does not include the contribution NLG 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
New York, NY



Linda P. Nussbaum