

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 21-cv-23303- ALTMAN/Brannon

**Honorable Roy K. Altman, United States District Judge for the Southern District of
Florida**

JERALD VARGAS MALESPIN, individually
and on behalf of all others similarly situated,

Plaintiff,

vs.

LONGEVERON INC., GEOFF GREEN,
JAMES CLAVIJO, JOSHUA M. HARE,
DONALD M. SOFFER, NEIL E. HARE,
ROCK SOFFER, EF HUTTON F/K/A
KINGSWOOD CAPITAL MARKETS, and
ALEXANDER CAPITAL L.P.,

Defendants.

**DECLARATION OF JONATHAN STERN ON BEHALF OF THE ROSEN LAW FIRM,
P.A. CONCERNING ATTORNEYS' FEES AND EXPENSES**

I, Jonathan Stern, declare and state, under penalty of perjury, that the following is true and correct to the best of my knowledge, information and belief:

1. I am an attorney duly licensed to practice law in New York. I am duly admitted *pro hac vice* to practice before this Court.

2. I am a partner of The Rosen Law Firm, P.A., Class Counsel in this litigation (the "Action"). I have personal knowledge of the matters set forth herein and, if called upon, I could and would completely testify thereto.

3. The Rosen Law Firm, P.A. has led this Action from appointment as counsel for lead plaintiff on February 4, 2022 and continuing throughout all other aspects of this Action.

4. My firm rendered the following legal services in connection with the prosecution of this Action: conducted case investigation and assessment of the factual and legal bases of the action; communicated with clients; prepared the motion for appointment of lead plaintiff and lead counsel; researched and prepared the amended complaint; engaged in settlement negotiations; prepared and negotiated settlement documents; and prepared motions and briefs in support of approval of the Settlement.

5. The chart below is a summary of time expended by the attorneys and professional staff of The Rosen Law Firm, P.A. on this Action, and the lodestar calculation based on their current billing rate. The chart was prepared from contemporaneous, daily time records regularly prepared and maintained by my firm. Time spent in preparing this Declaration in support of my firm's application for fees and reimbursement of expenses and any other time related to billing or periodic time reporting has not been included in this chart:

<u>Professional (position)*</u>	<u>Hourly Rate</u>	<u>Years Experience</u>	<u>Hours Worked</u>	<u>Lodestar</u>
Laurence M. Rosen (P)	\$1,075	33	15	\$16,125.00
Phillip Kim (P)	\$1,025	20	1.4	\$1,505.00
Jacob Goldberg (P)	\$1,025	30	0.7	\$752.50
Jonathan Horne (P)	\$875	12	2.3	\$2,012.50
Jonathan Stern (P)	\$875	14	166	\$145,250.00
Erica Stone (C)	\$800	9	4.4	\$3,520.00
Ha Sung (Scott) Kim (A)	\$625	5	226	\$141,250.00
Ryan Hedrick (A)	\$550	3	1.9	\$1,045.00
Zachary Stanco (PL)	\$275	N/A	8	\$2,200.00
Total			425.7	\$313,660

* Partner (P), Counsel (C), Associate (A), Paralegal (PL)

6. From the inception of this Action through May 19, 2023, my firm performed a total of 425.7 professional work hours in the prosecution of this Action. The total lodestar amount for

my firm is \$313,660. The lodestar multiplier, assuming the Court grants Class Representatives' motion for attorneys' fees in full, is 1.485.

7. The Rosen Law Firm expended a total of \$27,035.75 in un-reimbursed expenses in connection with the prosecution of this Action broken down as follows:

LIST OF UNREIMBURSED EXPENSES

Online computer legal research and online access to filings	\$262.32
Expert and Investigator Fees	\$20,886.00
Process server fees	\$87.00
Press releases to class members	\$3,949.43
Travel/transportation/hotels	\$1,451.00
Pro Hac Vice and Certificate of Good Standing Fees	\$400.00
Total expenses	\$27,035.75

8. The expenses set forth above are reflected in the firm's books and records. These books and records are prepared from expense vouchers, check records, and financial statements prepared in the normal course of business for my firm and are an accurate record of the expenses incurred in the prosecution of this Action.

9. Attached hereto as Exhibit 1 are copies of unpublished orders supporting the attorneys' fee request.

10. Attached hereto as Exhibit 2 is the firm resume of The Rosen Law Firm, P.A.

11. Attached hereto as Exhibit 3 is the Declaration of John Bosico.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 19th day of May, 2023 at New York, NY.

/s/ Jonathan Stern

Exhibit 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 19-61350-CIV-ALTMAN/Hunt

In re: Citrix Data Breach Litigation,
_____ /

OMNIBUS ORDER

The Plaintiffs have filed an Unopposed Motion for Approval of Attorneys’ Fees, Costs, and Expenses (“Attorneys’ Fees Mot.”) [ECF No. 57] and an Unopposed Motion for Final Approval of Class Action Settlement and Award of Attorneys’ Fees, Costs, and Expenses (“Final Approval Mot.”) [ECF No. 64]. For the reasons set out below, both motions are **GRANTED**.

BACKGROUND

The Plaintiffs¹ and the Defendant, Citrix Systems, Inc., have agreed to a proposed class action settlement. They’ve set forth the terms and conditions of that settlement in an executed Settlement Agreement, which they’ve submitted to the Court for final approval (the “Settlement Agreement”).

On March 30, 2020, the Parties reached the Settlement Agreement through arm’s-length negotiations, including a mediation. The Settlement Agreement, with its exhibits, including the proposed Class Notice Forms, was filed with Class Counsel’s amended motion for preliminary approval. [ECF No. 53]. On January 25, 2021, the Court, after due and careful consideration, granted preliminary approval of (i) the Settlement, (ii) the Parties’ plan for disseminating the Class Notice, and (iii) the certification of the Settlement Class, as defined in the Settlement Agreement. *See* Order Preliminarily Approving Class Settlement [ECF No. 56]. Additionally, the Court appointed (i) the Plaintiffs named in the Consolidated Complaint [ECF No. 18] as the Class Representatives, *see supra*

¹ The remaining Plaintiffs are Lee Milligan, on behalf of himself and his minor son; Lindsey Howard; Brandon Sargent; and Natalie Young. *See* Final Approval Mot. at 7.

note 1; (ii) the attorneys previously appointed as Liaison Counsel and Interim Class Counsel² as Settlement Class Counsel, *id.* at 2; and (iii) the Angeion Group as Settlement Administrator, *id.* at 4.

The Plaintiffs then submitted their Unopposed Motion for Final Approval of Class Settlement [ECF No. 64]. The Class Notice of the Settlement was properly disseminated in accordance with the notice plan the Court approved. The Court has received *no* objections from any of the 23,907 individual class members. And only one class member has opted out of the settlement.

On June 10, 2021, the Court conducted the Final Approval Hearing to determine: (a) whether this action satisfies the applicable prerequisites for class action treatment, *see* Fed R. Civ. P. 23; (b) whether the proposed Settlement was fair, reasonable, adequate, and in the best interest of the Class Members (and whether it should thus be approved by the Court); (c) whether a Final Order and Judgment, as provided under the Settlement Agreement, should be entered, dismissing the Consolidated Complaint with prejudice and releasing the Released Claims against the Released Parties; and (d) the proper amount of attorneys' fees and costs.

ANALYSIS

Having considered the Motions, the record, and the governing law, the Court hereby

ORDERS AND ADJUDGES as follows:

1. The Court has personal jurisdiction over all Class Members and Defendants.
2. The Court also has subject-matter jurisdiction to approve the Settlement under 28 U.S.C. § 1331 and the Class Action Fairness Act of 2005, 28 U.S.C. § 1715.

² Those lawyers are: John A. Yanchunis of Morgan & Morgan; J. Austin Moore of Stueve Siegel Hanson LLP; Gayle M. Blatt of Casey, Gerry, Schenk, Francavilla, Blatt & Penfield, LLP; Rosemary M. Rivas of Levi & Korsinsky, LLP; and Herman J. Russomanno III of Russomanno & Borrello, P.A.

3. Under Fed. R. Civ. P. 23(b)(3), this case is hereby certified, for settlement purposes only, as a class action on behalf of the following class of plaintiffs (the “Class Members”) with respect to the claims asserted in the Lawsuit:

All individuals residing in the United States who were sent notification by Citrix that their personal information was or may have been compromised in the data breach initially disclosed by Citrix in or about March 2019.

Excluded from the Settlement class are: (1) the judges presiding over this Action, and members of their direct families; (2) the Defendant, its subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendant or its parents have a controlling interest and their current or former officers, directors, and employees; (3) Settlement Class Members who submit a valid Request for Exclusion prior to the Opt-Out Deadline.

4. The Defendants have identified a total of 24,316 Class Members.
5. Venue is proper in this District.
6. The prerequisites for a class action under Fed. R. Civ. P. 23 have been satisfied as follows:
 - a. Numerosity: This class consists of 24,316 members. Accordingly, the number of members of the Settlement Class is so numerous that joinder of all class members would be impracticable;
 - b. Commonality: Each class member received notification from Citrix that his or her personal information was or may have been compromised by the same data breach in or about May 2019. Accordingly, there are questions of law and fact that are common to the Settlement Class;
 - c. Typicality: The Plaintiffs are victims of the same data breach as the rest of the class—and they received the same notification about the information breach as the rest of the class. Accordingly, the Plaintiffs’ claims are typical of the Class claims;

- d. Adequacy: For the reasons stated below regarding the adequacy of the settlement, the Plaintiffs and Class Counsel have and will continue to fairly and adequately represent the interests of the Settlement Class; and
 - e. Predominance: All Plaintiffs' and Class Members' claims arise from the same data breach that compromised personal information hosted on the internal Citrix network. Common questions of law and fact thus predominate over individual questions.
7. The Court finds that, in negotiating, entering into, and implementing the settlement, the Plaintiffs and Class Counsel have adequately represented and protected the interests of the Class.
8. When evaluating whether the settlement was "fair, adequate and reasonable," the Court must consider: "(1) the likelihood of success at trial; (2) the range of possible recovery; (3) the point on or below the range of possible recovery at which a settlement is fair, adequate and reasonable; (4) the complexity, expense and duration of litigation; (5) the substance and amount of opposition to the settlement; and (6) the stage of proceedings at which the settlement was achieved." *Bennet v. Bebring Corp.*, 737 F.3d 982, 987 (11th Cir. 1984).
9. The proposed settlement is fundamentally fair, reasonable, adequate, and in the best interests of the Class Members. The settlement was reached in the absence of collusion and is the product of informed, good-faith, arm's-length negotiations between the Parties and their capable and experienced counsel, who had adequate knowledge of the strengths and weaknesses of their claims, the primary defenses, and the risks of proceeding with the litigation through a motion for class certification, trial, and appeal.

10. Data breach cases in particular present unique challenges with respect to issues like causation, certification, and damages. By resolving the case early on in the litigation, Class Counsel avoided these difficult questions and ensured a successful result for the Class Members.
11. The settlement also provides the Class Members with relief they could *not* have won at trial (even if they had made it that far), including credit monitoring, identity restoration, and monitoring for minors whose information was compromised.
12. The settlement provides that the Class will receive \$2,275,000 to cover losses resulting from the breach, enhanced security measures to prevent another data breach, and credit monitoring and identity restoration services—all valued at more than \$26 million. Following the dissemination of Notice, only one Class Member requested exclusion from the settlement and no Class Members objected. The Court therefore finds that the proposed settlement is fundamentally fair, reasonable, adequate, and in the best interests of the Class Members.
13. The Court appoints Lee Milligan, on behalf of himself and his minor son, Lindsey Howard, Brandon Sargent, and Natalie Young as the Class Representative, and John A Yanchunis, J. Austin Moore, Gayle M. Blatt, Rosemary M. Rivas, and Herman J. Russomanno III as Class Counsel.
14. Pursuant to the Court's Preliminary Approval Order, the approved class action notices were mailed to all Class members *and* e-mailed to Class Members whose personal e-mail addresses are known. The form and method for notifying the Class Members about the settlement and its terms and conditions were in conformity with this Court's Preliminary Approval Order and satisfied the requirements of Fed. R. Civ. P. 23(c)(2)(B) and due process, and constituted the best notice practicable under the

circumstances. The Court finds that the notice was clearly designed to advise the Class Members of their rights.

15. The parties and their counsel are ordered to implement and to consummate the Settlement Agreement, according to its terms and provisions. These terms include, but are not limited to:

- a. Citrix will establish a \$2,275,000 settlement fund (the “Settlement Fund”).
- b. All Settlement Class Members may submit a claim for up to \$15,000 as reimbursement for Out-of-Pocket.
- c. All Class Members who are not automatically eligible for Minor Monitoring Services are eligible to enroll in five (5) years of Credit Monitoring Services provided by Experian.
- d. In lieu of Credit Monitoring Services, Class Members who are not automatically eligible for Minor Monitoring Services may elect to receive a cash payment in an amount equal to a pro rata distribution of the Net Settlement Fund.
- e. All Class Members are automatically eligible to access Identity Restoration Services offered through Experian.
- f. All Class Members who were under the age of 18 on or before the Claim Deadline are automatically eligible to enroll in Minor Monitoring Services provided by Experian.
- g. Class Counsel shall receive an attorneys’ fee award of \$750,000, which shall be paid out of the Settlement Fund. This fee is more than reasonable given the complexities of the case, the kinds of relief the Class Members have received, and the fact that Class Counsel’s fee was contingent on the outcome of the

case. Moreover, although our Circuit doesn't require a lodestar check, we note that, when the Plaintiffs filed their motion for attorneys' fees, Class Counsel's combined lodestar was \$958,160—some \$208,000 *more* than the fee request. In the circumstances presented here, the Court finds that a fee award of 32.9%—a fee award that results in a *negative* lodestar multiplier of 0.78—is both fair and reasonable.

- h. Class Counsel shall also receive reimbursement for out-of-pocket expenses of \$18,494.16. Class Counsel has provided the Court with an itemized list of these expenses, and the Court finds that each of these expenses was fairly charged and reasonably necessary to the successful prosecution of the case; and
- i. The costs of notice and administration of the settlement (“Settlement Administration Costs”), completed by Angeion Group and estimated at \$64,927, shall also be paid out of the Settlement Fund. That cost, again, is fair and reasonable in light of the essential administrative function Angeion has provided—to the Court, the lawyers, and the Class Members.

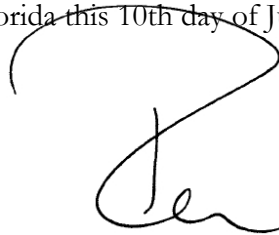
16. The Class Members were given an opportunity to object to the settlement. No Class Members objected to the settlement. Only one Class Member, Sheryl Gonzalez, opted out. This Order is thus binding on all Class Members who did not exclude themselves from the Settlement.

17. This Court shall maintain continuing jurisdiction over the administration and consummation of the settlement. The Court retains exclusive jurisdiction over—and the Parties and all Settlement Class Members are hereby deemed to have submitted to the exclusive jurisdiction of this Court for—any suit, action, proceeding or dispute

arising out of or relating to this Final Approval Order, the accompanying Final Judgment, and the Settlement Agreement.

18. The Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement and Award of Attorneys' Fees, Costs, and Expenses [ECF No. 64] is **GRANTED**.
19. This Order is not, and shall not be construed as, an admission by the Defendants of any liability or wrongdoing in this or in any other proceeding. The Plaintiffs, the Class Members, and their successors and assigns are permanently barred and enjoined from instituting, prosecuting, intervening in or participating in, either individually or as a class, or in any other capacity, any of the Released Claims against any of the Released Parties, as set forth in the Agreement. Pursuant to the release contained in the Agreement, the Released Claims are compromised, settled, released, and discharged by virtue of these proceedings and this Order.
20. The case is hereby dismissed with prejudice.
21. All other pending motions are **DENIED** as **MOOT**.
22. The Clerk shall **CLOSE** this case.

DONE AND ORDERED in Fort Lauderdale, Florida this 10th day of June 2021.



ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:13-cv-23878-UU

Judge: Hon. Ursula Ungaro

LUIS ARANAZ and JARED PEREIRA,
individually, and on behalf of all others similarly
situated,

Plaintiffs,

vs.

CATALYST PHARMACEUTICAL PARTNERS
INC., and PATRICK J. MCENANY,

Defendants

ORDER AND FINAL JUDGMENT

On the 16th day of Mar, 2015, a hearing having been held before this Court to determine: (1) whether the terms and conditions of the Stipulation and Agreement of Settlement dated November 21, 2014 (the "Settlement Stipulation") are fair, reasonable and adequate for the settlement of all claims asserted by the Class against Catalyst Pharmaceutical Partners, Inc. ("Catalyst") and Patrick J. McEnany (with Catalyst, the "Defendants") in the Litigation, including the release of the Settled Claims against the Released Parties, and should be approved; (2) whether judgment should be entered dismissing this Litigation with prejudice; (3) whether to approve the proposed Plan of Allocation as a fair and reasonable method to allocate the Net Settlement Fund among Class Members; (4) whether and in what amount to award Class Counsel as fees and reimbursement of expenses; and (5) whether and in what amount to award Class Representatives as incentive fees.

The Court having certified a Class in this action by order dated September 29, 2014;

The Court having considered all matters submitted to it at the hearing and otherwise; and

It appearing that the Notice substantially in the form approved by the Court in the Court's Order Granting Class Representatives' Motion for Preliminary Approval of Class Action Settlement ("Preliminary Approval Order") was mailed to all reasonably identifiable Class Members; and

It appearing that the Summary Notice substantially in the form approved by the Court in the Preliminary Approval Order was published in accordance with the Preliminary Approval Order and the specifications of the Court;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. All capitalized terms used herein have the same meanings as set forth and defined in the Stipulation.

2. The Court has jurisdiction over the subject matter of the Litigation, Class Representatives, all Class Members, and the Defendants.

3. The Court hereby finally certifies this action as a class action for purposes of the Settlement, pursuant to Rule 23(a) and (b)(3) of the Federal Rules of Civil Procedure, on behalf of all persons or entities that purchased Catalyst Pharmaceutical Partners Inc. common stock during the period from August 27, 2013, through October 18, 2013, and who did not sell such securities prior to October 18, 2013, excluding: Defendants; any entities affiliated with Catalyst; the present and former officers and directors of Catalyst or any subsidiary or affiliate thereof; members of such excluded persons' immediate families and their legal representatives, heirs, successors or assigns; and any entity in which any excluded person has or had a controlling interest (the "Class"). Additionally excluded from the Class are those persons who file valid and timely requests for exclusion in accordance with this Order.

4. Pursuant to the Court's order dated September 29, 2014, and the Preliminary Approval Order, the Court hereby finds that the forms and methods of notifying the Class of the Settlement and its terms and conditions met the requirements of due process, Rule 23 of the Federal Rules of Civil Procedure, and Section 21D(a)(7) of the Exchange Act, 15 U.S.C. § 78u-4(a)(7), as amended by the Private Securities Litigation Reform Act of 1995; constituted the best notice practicable under the circumstances; and constituted due and sufficient notice to all persons and entities entitled thereto of these proceedings and the matters set forth herein, including the Settlement and Plan of Allocation, to all persons entitled to such notice. No Class Member is relieved from the terms and conditions of the Settlement, including the releases

provided for in the Settlement Stipulation, based upon the contention or proof that such Class Member failed to receive actual or adequate notice. A full opportunity has been offered to the Class Members to object to the proposed Settlement and to participate in the hearing thereon. The Court further finds that the notice provisions of the Class Action Fairness Act, 28 U.S.C. § 1715, were fully discharged. Thus, it is hereby determined that all Class Members are bound by this Order and Final Judgment except those persons listed on Exhibit A to this Order and Final Judgment.

5. The Settlement is approved as fair, reasonable and adequate, and in the best interests of the Class. Class Representatives and the Defendants are directed to consummate the Settlement in accordance with the terms and provisions of the Settlement Stipulation.

6. The Litigation and the Complaint are hereby dismissed with prejudice and without costs.

7. Class Representatives and all Class Members, on behalf of themselves, their current and former heirs, executors, administrators, successors, attorneys, legal representatives, and assigns, hereby release and forever discharge the Released Parties from any and all Settled Claims. Class Representatives and all Class Members, and anyone acting or purporting to act for any of them, are hereby permanently and forever enjoined from prosecuting or attempting to prosecute any and all Settled Claims against the Released Parties. Class Representatives and Class Counsel shall be deemed hereby to permanently covenant to refrain from instituting, commencing or prosecuting either directly, indirectly, derivatively, representatively, or in any other capacity, all Settled Claims against any of the Released Parties.

8. Each Defendant, including any and all of their respective successors in interest or assigns, hereby releases and forever discharges any and all Defendants' Claims against the Class

Representatives, any of the Class Members, and any of their counsel, including Class Counsel for the Class and any counsel working under Class Counsel's direction.

9. The Court hereby finds that the proposed Plan of Allocation is a fair and reasonable method to allocate the Net Settlement Fund among Class Members, and Class Counsel and the Claims Administrator are directed to administer the Settlement Stipulation in accordance with its terms and provisions.

10. To the full extent provided by Section 21D(f)(7) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(f)(7), and the common law of the U.S. Court of Appeals for the Eleventh Circuit, all claims including, but not limited to, claims for contribution, indemnification or equitable indemnification against any party or third person, including, but not limited to, any trustee appointed in a Chapter 7 or 11 bankruptcy proceeding, a receiver, an assignee for the benefit of creditors, or any similar successor related, directly or indirectly, to the facts of this Litigation shall be permanently barred and discharged. Further, nothing in the Settlement Stipulation shall apply to bar or otherwise affect any claim for insurance coverage by any Defendant.

11. The Court finds that all Parties and their counsel have complied with each requirement of Rule 11 of the Federal Rules of Civil Procedure as to all proceedings herein.

12. Neither this Order and Final Judgment, the Settlement Stipulation, nor any of its terms and provisions, nor any of the negotiations, documents or proceedings connected with them shall be:

- (a) referred to, offered, or used against the Defendants as evidence of, or construed as or deemed to be evidence of, any presumption, concession, or admission by any of the Defendants with respect to the truth of any fact alleged by the Class

Representatives or the validity of any claim that has been or could have been asserted in the Litigation or in any litigation, or the deficiency of any defense that has been or could have been asserted in the Litigation or in any litigation, or of any liability, negligence, fault, or wrongdoing of any of the Defendants;

(b) referred to, offered, or used against the Defendants as evidence of, or construed as or deemed to be evidence of, any presumption, concession, or admission by any of the Defendants of any fault, misrepresentation, or omission with respect to any statement or written document approved or made by any Defendant, or against the Class Representatives and the Class as evidence of any infirmity in the claims of the Class Representatives and the Class;

(c) referred to, offered, or used against the Defendants as evidence of, or construed as or deemed to be evidence of, any presumption, concession, or admission by any of the Defendants that the Class or any class may be certified in the Litigation;

(d) referred to, offered, or used against the Class Representatives and the Class as evidence of, or construed as or deemed to be evidence of, any presumption, concession, or admission by the Class Representatives or the Class or any of them, that any of their claims are without merit or that damages recoverable under the Complaint would not have exceeded the Settlement Amount;

(e) referred to, offered, or used against the Defendants or against the Class Representatives or the Class as evidence of, or construed as or deemed to be evidence of, any presumption, concession, or admission that the consideration to be given hereunder represents the amount which could be or would have been recovered after trial; or

(f) used or construed as an admission of any fault, liability or wrongdoing by any person or entity, or offered or received in evidence as an admission, concession, presumption or inference against any of the Defendants in any proceeding other than such proceedings as may be necessary to consummate or enforce the Settlement Stipulation.

13. Other than otherwise provided herein or in the Settlement Stipulation, all funds held by the Escrow Agent shall be deemed to be in *custodia legis* and shall remain subject to the jurisdiction of the Court until such time as the funds are distributed or returned pursuant to the Settlement Stipulation and/or further order of the Court.

14. Exclusive jurisdiction is hereby retained over the Parties and the Class Members for all matters relating to the Litigation, including the administration, interpretation, effectuation or enforcement of the Settlement Stipulation and this Order and Final Judgment, and including any application for fees and expenses incurred in connection with administering and distributing the settlement proceeds to the Class Members.

15. Without further order of the Court, the Defendants and Class Representatives may agree to reasonable extensions of time to carry out any of the provisions of the Settlement Stipulation.

16. There is no just reason for delay in the entry of this Order and Final Judgment and immediate entry by the Clerk of the Court is expressly directed pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

17. The finality of this Order and Final Judgment shall not be affected, in any manner, by rulings that the Court may make on Class Counsel's application for an award of Attorneys' Fees and Expenses or an award to the Class Representatives.

18. Class Counsel are hereby awarded 33 $\frac{1}{3}$ % of the Gross Settlement Fund in fees, which the Court finds to be fair and reasonable, and \$ 167,659 in reimbursement of expenses. Defendants shall have no responsibility for any allocations of attorneys' fees and expenses, and shall have no liability to Class Counsel or any other person in connection with the allocation of attorneys' fees and expenses. Class Representatives are each hereby awarded \$ 10,000, which the Court finds to be fair and reasonable.

19. If the Settlement does not become final and effective in accordance with the terms and conditions set forth in the Settlement Stipulation, or is otherwise terminated, then this Order and Final Judgment shall be rendered null and void and be vacated and the Settlement and all orders entered in connection therewith shall be rendered null and void (except as provided in paragraphs E.1, 3., 5, G.1, H.2, P.4-7, Q.9-10, and Q.12 in the Settlement Stipulation), and the Parties shall be deemed to have reverted to their respective status prior to the execution of the Memorandum of Understanding dated October 23, 2014 ("MOU") and the Settlement Stipulation, and they shall proceed in all respects as if the MOU and Settlement Stipulation had not been executed and the related orders had not been entered, preserving in that event all of their respective claims and defenses in the Litigation, and shall revert to their respective positions in the Litigation and in the Eleventh Circuit Court of Appeal, Case No. 14-90021-C, where Defendants filed their Petition for Permission to Appeal from Order Granting Class Certification Pursuant to Federal Rule of Civil Procedure 23(f).

Dated: Mar. 16, 2015


HON. URSULA UNGARO
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 12-81123-CIV-COHN/SELTZER

FRANCIS HOWARD, individually
and on behalf of all others
similarly situated,

Plaintiff,

v.

CHANTICLEER HOLDINGS, INC.,
MICHAEL D. PRUITT, ERIC S.
LEDERER, MICHAEL CARROLL,
PAUL I. MOSKOWITZ, KEITH
JOHNSON, MARK HEZLETT,
MERRIMAN CAPITAL, INC.,
DAWSON JAMES SECURITIES, INC.,
and CREASON & ASSOCIATES, P.L.L.C.,

Defendants.

ORDER AWARDING LEAD COUNSEL ATTORNEYS' FEES AND EXPENSES

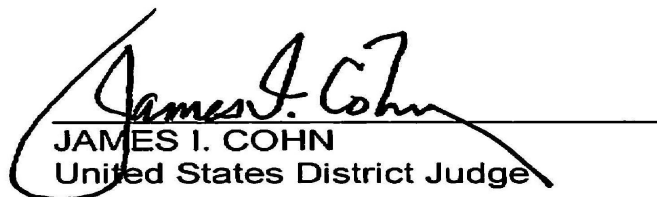
THIS CAUSE is before the Court upon Plaintiffs' Motion for an Award of Attorneys' Fees and Reimbursement of Expenses [DE 69] ("Motion"). The Court has carefully reviewed the Motion, all related filings, and the entire record of this case. Also, the Court held a Fairness Hearing earlier today to determine, *inter alia*, whether and in what amount to award counsel for Lead Plaintiffs and the Class fees and expenses.

The Court having considered all matters submitted to it at the Fairness Hearing and otherwise, and having finally approved the Settlement of this class action, it is

ORDERED AND ADJUDGED that Plaintiffs' Motion for an Award of Attorneys' Fees and Reimbursement of Expenses [DE 69] is hereby **GRANTED** as follows:

1. For purposes of this Order, all capitalized terms used herein shall have the meanings set forth and defined in the parties' Stipulation and Agreement of Settlement [DE 61] ("Settlement Agreement").
2. Lead Counsel, The Rosen Law Firm, P.A., for purposes of the Settlement, has petitioned the Court for an award of attorneys' fees in compensation for the services provided to Plaintiffs and the Class, along with reimbursement of expenses incurred in connection with the prosecution of this action.
3. The Court finds that the attorneys' fees and expenses sought by Lead Counsel are reasonable and appropriate in this case.
4. The Rosen Law Firm, P.A., ("Rosen Firm") is hereby awarded one-third of the Settlement Amount, or \$283,333.33, as attorneys' fees in this action, together with a proportionate share of the interest earned on the fund, at the same rate earned by the balance of the fund, from the date of the establishment of the fund to the date of payment.
5. The Rosen Firm shall be reimbursed out of the Qualified Settlement Fund in the amount of \$21,787.00 for its expenses and costs.
6. Except as otherwise provided herein, the attorneys' fees and reimbursement of expenses shall be paid in the manner and procedure provided for in the Settlement Agreement.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 14th day of August, 2014.


JAMES I. COHN
United States District Judge

Copies provided to:

Counsel of record via CM/ECF

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

MAZ PARTNERS LP, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

FIRST CHOICE HEALTHCARE
SOLUTIONS, INC. and CHRISTIAN
ROMANDETTI, SR.,

Defendants.

**Case No. 6:19-cv-00619-PGB-
LRH**

**ORDER AWARDING ATTORNEYS’ FEES AND LITIGATION
EXPENSES AND LEAD PLAINTIFF PSLRA AWARD**

This matter came on for hearing on July 26, 2021 (the “Final Approval Hearing”) on Lead Plaintiff’s Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses. The Court having considered all matters submitted to it at the Final Approval Hearing and otherwise; and it appearing that notice of the Final Approval Hearing substantially in the form approved by the Court was mailed to all Settlement Class Members who or which could be identified with reasonable effort, and that a Summary Notice of the hearing substantially in the form approved by the Court was published in *PR Newswire* pursuant to the specifications of the Court; and the Court having considered and determined the fairness and reasonableness of the award of attorneys’ fees and reimbursement of litigation expenses, as well as the Lead Plaintiff award pursuant to the Private

Securities Litigation Reform Act of 1995 (15 U.S.C. § 78u-4(a)(7)) (“PSLRA”) requested,

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. This Order incorporates by reference the definitions in the Stipulation and Agreement of Settlement dated December 28, 2020 (ECF 64-1, the “Stipulation”), and all terms not otherwise defined herein shall have the same meanings as set forth in the Stipulation.

2. The Court has jurisdiction to enter this Order and over the subject matter of the Action and all parties to the Action, including all Settlement Class Members.

3. Notice of Lead Plaintiff’s motion for an award of attorneys’ fees and reimbursement of litigation expenses and the Lead Plaintiff PSLRA Award was given to all Settlement Class Members who could be identified with reasonable effort. The form and method of notifying the Settlement Class of the motion for an award of attorneys’ fees and reimbursement of litigation expenses and the Lead Plaintiff PSLRA Award satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, the PSLRA, due process, and all other applicable laws and rules, constituted the best notice practicable under the circumstances, and constituted due and sufficient notice to all persons and entities entitled thereto.

4. Lead Counsel for the Settlement Class is hereby awarded attorneys’ fees in the amount of 25% of the Gross Settlement Fund, plus \$29,895.11 in reimbursement of litigation expenses, which sums the Court finds to be fair and

reasonable. Lead Counsel's award of attorneys' fees and reimbursement of litigation expenses shall both be paid from the Gross Settlement Fund. Lead Counsel shall allocate the attorneys' fees awarded amongst Plaintiff's Counsel in a manner which it, in good faith, believes reflects the contributions of such counsel to the institution, prosecution, and settlement of the Action.

5. In making this award of attorneys' fees and reimbursement of litigation expenses to be paid from the Gross Settlement Fund, the Court has considered and found that:

- a. The Settlement has created a fund of \$1,000,000 in cash that has been funded into escrow pursuant to the terms of the Stipulation, and that numerous Settlement Class Members who submit acceptable Proof of Claim and Release Forms will benefit from the Settlement that occurred because of the efforts of Lead Counsel;
- b. The requested fee has been reviewed and approved as reasonable by Lead Plaintiff;
- c. Copies of the Postcard Notice were mailed to a total of at least 7,679 potential Settlement Class Members and their nominees stating that Lead Counsel would apply for attorneys' fees in an amount not to exceed 25% of the Gross Settlement Fund and for reimbursement of litigation expenses in an amount not to exceed \$30,000, and that Lead Plaintiff would be seeking a PSLRA award of \$5,000 from the

Gross Settlement Fund, and no objections to the requested fees and expenses were received;

- d. Lead Counsel conducted the litigation and achieved the Settlement with skill, perseverance, and diligent advocacy;
- e. The Action raised a number of complex issues;
- f. Had Lead Counsel not achieved the Settlement, there would remain a significant risk that Lead Plaintiff and the other members of the Settlement Class may have recovered less or nothing from Defendants;
- g. Plaintiff's Counsel devoted over 1,341 hours, with a lodestar value of over \$935,000, to achieve the Settlement; and
- h. The amount of attorneys' fees awarded and expenses to be reimbursed from the Gross Settlement Fund are fair and reasonable and consistent with awards in similar cases.

6. In accordance with 15 U.S.C. § 78u-4(a)(4), Lead Plaintiff MAZ Partners LP is hereby awarded \$5,000 from the Gross Settlement Fund as reimbursement for its reasonable costs and expenses directly related to their representation of the Settlement Class.

7. Any appeal or any challenge affecting this Court's approval regarding any attorneys' fees and expense application shall in no way disturb or affect the finality of the Judgment.

8. Exclusive jurisdiction is hereby retained over the parties and the Settlement Class Members for all matters relating to this Action, including the administration, interpretation, effectuation, or enforcement of the Stipulation and this Order.

9. In the event that the Settlement is terminated, or the Effective Date of the Settlement otherwise fails to occur, this Order shall be rendered null and void to the extent provided by the Stipulation.

10. There is no just reason for delay in the entry of this Order, and immediate entry by the Clerk of the Court is expressly directed.

DONE and ORDERED this 2d day of August 2021.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Exhibit 2

**THE ROSEN LAW FIRM P.A.
BIOGRAPHY**

I. ATTORNEYS

LAURENCE ROSEN - MANAGING PARTNER

Laurence Rosen is a 1988 graduate of New York University School of Law. He earned an M.B.A. in finance and accounting at the University of Chicago Graduate School of Business and a B.A. in Economics from Emory University. Mr. Rosen served as a law clerk to the Honorable Stanley S. Brotman, Senior United States District Judge for the District of New Jersey. Mr. Rosen entered private practice as an associate at the law firm of Skadden Arps Slate Meagher & Flom in New York City where he participated in a number of complex securities class action and derivative litigation matters. He later served as an associate at McCarter & English in Newark, New Jersey where he specialized in securities and business litigation.

After practicing general securities and commercial litigation in New York City with Solton Rosen & Balakhovsky LLP, Mr. Rosen founded The Rosen Law Firm to represent investors exclusively in securities class actions and derivative litigation. Mr. Rosen is admitted to practice law in New York, California, Florida, New Jersey and the District of Columbia. Mr. Rosen is also admitted to practice before numerous United States District Courts throughout the country and the United States Court of Appeals for the Second, Fourth, and Sixth Circuits.

In 2019-2022 Lawdragon named Mr. Rosen as one of the 500 Leading Plaintiff Financial Lawyers. Mr. Rosen was also named by law360 as Titan of Plaintiffs' Bar for 2020.

PHILLIP KIM – PARTNER

Mr. Kim graduated from Villanova University School of Law in 2002. He received a B.A. in Economics from The Johns Hopkins University in Baltimore, Maryland in 1999. Prior to joining The Rosen Law Firm, Mr. Kim served as Assistant Corporation Counsel for the City of New York

in the Special Federal Litigation Division. In that position, Mr. Kim defended a number of class action lawsuits, litigated numerous individual actions, and participated in more than seven trials. Mr. Kim focuses his practice on securities class actions and shareholder derivative litigation. Mr. Kim is admitted to the bar of the State of New York and admitted to practice in the Southern, Eastern, Northern and Western Districts of New York, the District of Colorado, the Eastern District of Wisconsin, and United States Court of Appeals for the Second, Sixth and Ninth Circuits.

In 2019-2022 Lawdragon named Mr. Kim as one of the 500 Leading Plaintiff Financial Lawyers.

JACOB A. GOLDBERG – PARTNER

Mr. Goldberg is a 1988 graduate of Columbia University. Mr. Goldberg received his J.D., *cum laude*, from the Temple University School of Law in 1992. For over 23 years, Mr. Goldberg has litigated complex cases at the highest levels, championing the rights of investors, employees and consumers. Mr. Goldberg has recovered over \$200 million for investors in securities class actions. In addition to serving in leadership roles in securities class actions, Mr. Goldberg has litigated many cases under state corporations laws, against faithless boards of directors both on behalf of shareholders, in the mergers and acquisitions context, and, derivatively, on behalf of corporations, to remedy harm to the corporation itself. Mr. Goldberg is admitted to practice law in the Commonwealth of Pennsylvania, New York, the United States Supreme Court, the United States Court of Appeals for the Second, Third, Fourth and Sixth Circuits, and various United States District Courts across the country.

In 2019-2022 Lawdragon named Mr. Goldberg as one of the 500 Leading Plaintiff Financial Lawyers.

JONATHAN A. SAIDEL – PARTNER

Mr. Saidel has had a long and distinguished career in Pennsylvania politics, as well as in the roles of attorney, accountant and author. He served as Philadelphia city controller for four consecutive terms, each time earning reelection by a wide margin, and enacting financial reforms that have saved taxpayers upwards of \$500 million. Later, in 2010 he went on to campaign for lieutenant governor of Pennsylvania, where he was runner-up to Scott Conklin by only a few thousand votes out of almost 1 million cast. A Lifelong resident of Northeast Philadelphia, Mr. Saidel's tireless dedication to fiscal discipline reduced the city's tax burden and spurred economic development. Mr. Saidel also pushed for important business tax incentives and expanded minority and small business lending, all of which have revitalized the city, helping it prosper and come back from the brink of bankruptcy in the early 1990's to become one of the most vibrant cities on the East Coast.

Mr. Saidel's book, "Philadelphia: A New Urban Direction", is widely considered an essential guide for effective government and corporate governance and is required reading at many colleges and universities.

Mr. Saidel received his JD from the Widener University of Law and is a graduate of Temple University. He is also an adjunct lecturer at the University of Pennsylvania Fels Institute of Government, and Drexel University's MBA Program. In addition to being a Certified Public Account, Jonathan is a recipient of the National Association of Local Government Auditor's Knighton Award, the President's Council on Integrity and Efficiency Award for Excellence, multiple special project awards from the National Association of Local Government Auditors, and the "Controller of the Year" award, a peer recognition presented by the Pennsylvania City Controllers Association.

SARA FUKS – PARTNER

Ms. Fuks graduated from Fordham University School of Law, *cum laude*, in February 2005, where she was a member of Fordham Law Review. She received her B.A. in Political Science, *magna cum laude*, from New York University in 2001. Ms. Fuks began her practice at Dewey Ballantine, LLP where she focused on general commercial litigation and then went on to prosecute numerous ERISA and securities class actions as an associate at Milberg LLP. Ms. Fuks is admitted to the bar of the State of New York and admitted to practice in the United States Southern and Eastern District Courts of New York.

JONATHAN HORNE- PARTNER

Mr. Horne is a 2009 graduate of New York University School of Law, where he received the Lederman/Milbank Law, Economics, and Business fellowship, and holds a B.A. in Economics & Philosophy from the University of Toronto. Mr. Horne began his practice at Kaye Scholer LLP. Mr. Horne specializes in securities litigation. He is admitted to practice in New York and the United States District Courts for the District of Colorado and the Southern and Eastern Districts of New York. Mr. Horne was named a Super Lawyer – Rising Star for the New York Metro Area.

YU SHI – PARTNER

Mr. Shi received his J.D. from Columbia Law School in 2011 and his B.A., *cum laude*, from Columbia University in 2008. In 2022, Law360 named Mr. Shi as one of the top securities attorneys under the age of 40. He has been selected to *Super Lawyers* New York Metro Rising Stars list each year since 2018. Mr. Shi began his career as a Special Assistant Corporation Counsel in the New York City Law Department’s Economic Development Division. Mr. Shi joined The Rosen Law Firm in 2012 and focuses his practice on securities litigation. He is admitted to practice in the State of New York, the United States District Courts for the Eastern District of

New York, Southern Districts of New York, and the District of Colorado, and the United States Court of Appeals for the Second Circuit.

JONATHAN STERN – PARTNER

Mr. Stern graduated from New York University School of Law in May of 2008, where he was a Development Editor of the Annual Survey of American Law. He received his B.A. in Philosophy with Honors from McGill University. Mr. Stern began his practice in the litigation department of Simpson Thacher & Bartlett LLP, and then went on to practice at the litigation boutique of Simon & Partners LLP, where he participated in a Federal trial. Mr. Stern is admitted to the bar of the State of New York and admitted to practice in the United States Southern and Eastern District Courts of New York and the United States Court of Appeals for the Second Circuit. for the First, Sixth, Seventh, Eighth and Ninth Circuits, and the United States Supreme Court.

ROBIN BRONZAFT HOWALD – COUNSEL

Ms. Howald is a graduate of Stanford Law School where she was a member of the Stanford Law Review. Ms. Howald earned her BA from Barnard College, magna cum laude. Ms. Howald joined the firm in 2021 and focuses her practice on securities litigation. For the last 15 years, Ms. Howald has prosecuted major securities litigations. She was one of the lead attorneys in cases that achieved settlements of \$250 million for injured investors, including *Schleicher v. Wendt*, 618 F.3d 679 (7th Cir. 2010) (\$41.5 million), *In re Mannkind Corp. Securities Litigation* (C.D. California) (\$23 million); *In re ECI Telecom Ltd. Securities Litigation* (Eastern District of Virginia) (\$21.75 million), *In re Gilat Satellite Networks, Ltd. Securities Litigation* (E.D.N.Y.) (\$20 million), *In re Musicmaker.com Securities Litigation*, 2001 WL 34062431 (C.D. Cal. 2001) (\$13.75 million), *In re Puda Coal Inc. Securities Litigation* (S.D.N.Y.) (\$8.6 million following reconsideration of grant of summary judgment), *Jenson v. Fiserv Trust Co.*, 256 F. App'x. 924 (9th Cir. 2007) (\$8.5 million recovered for victims of a Ponzi scheme). Ms. Howald is admitted to the bars of California, New

York, the United States District Courts for the Eastern and Southern Districts of New York, the Central, Eastern, and Northern Districts of California, the Eastern District of Michigan, the United States Court of Appeals.

BRIAN ALEXANDER – COUNSEL

Mr. Alexander graduated from Harvard Law School, *cum laude*, in 2008. He received a B.A. from Cornell University, *magna cum laude*, in 2003. Prior to joining the Rosen Law Firm, Mr. Alexander practiced complex commercial litigation at Boies Schiller Flexner LLP and other prominent law firms in New York. He also served as a law clerk to the Honorable Raymond J. Dearie of the United States District Court for the Eastern District of New York. He is admitted to practice in New York and in the United States District Courts for the Eastern and Southern Districts of New York.

JING CHEN - COUNSEL

Ms. Chen received a Juris Doctor degree from Pace University School of Law in 2011, Juris Master degree from China University of Political Science and Law in Beijing, China and B.A. in English Literature and Linguistics from Shandong University in Jinan, China. She is admitted to practice in New York, New Jersey and China. Prior to joining The Rosen Law Firm, Ms. Chen practiced corporate law, commercial transactions and arbitration for over two years.

GONEN HAKLAY – COUNSEL

Mr. Haklay graduated from Stanford University School of Law in 1995. He received a B.A. in Political Science from The University of Massachusetts at Amherst in 1992. After several years as an associate at a large Philadelphia law firm, Mr. Haklay joined the Philadelphia District Attorney's office. As a prosecutor, he tried over 100 criminal jury cases and handled both capital and non-capital homicide cases. After 12 years as prosecutor, Mr. Haklay joined a prominent plaintiffs' firm where he tried over ten asbestos cases, recovering millions of dollars for his clients.

As a young man, Mr. Haklay served as an infantryman in the Israel Defense Forces. Mr. Haklay is admitted to the bars of the Commonwealth of Pennsylvania, the State of New Jersey, the United States District Court for the Eastern District of Pennsylvania, and the United States Third Circuit Court of Appeals.

DANIEL TYRE-KARP – COUNSEL

Prior to joining The Rosen Law Firm in May 2018, Mr. Tyre-Karp was a senior associate in the securities litigation and corporate governance group at Weil, Gotshal & Manges, where he advised corporate and individual clients on a variety of high-stakes regulatory and litigation matters in state and federal courts. Mr. Tyre-Karp's extensive experience includes working on several of the largest recent shareholder class action litigations (*In re American International Group, Inc. 2008 Securities Litigation*, Docket No. 08-CV-4772 (S.D.N.Y.) and related opt-out actions; *In re El Paso Corporation Shareholder Litigation*, Docket No. 6949 (Del. Ch.)), participating in complex business and bankruptcy litigations (*In re Lehman Brothers Holdings, Inc., et al*, Docket No. 1:08-bk-13555 (Bankr. S.D.N.Y.)), and advising numerous clients facing FINRA and SEC investigations. Mr. Tyre-Karp graduated with honors from Wesleyan University in 2003 and received his J.D. from New York University School of Law in 2009, where he served as Senior Notes Editor of the *Journal of Legislation and Public Policy*. He is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York.

ERICA STONE- COUNSEL

Ms. Stone graduated from the Benjamin N. Cardozo School of Law in 2013. She received her B.A. in Political Science and Communications, *cum laude*, from the University of Pennsylvania in 2009. She is admitted to practice in New York, New Jersey, and the United States

District Courts for the Southern District and Eastern District of New York, the District of New Jersey, and the Eastern District of Wisconsin.

JOSHUA BAKER – ATTORNEY

Mr. Baker graduated from the New York University School of Law in 2013. He received a B.A. from the University of Maryland in 2009. Prior to joining the Rosen Law Firm, Mr. Baker practiced complex commercial litigation for a New York firm. He is admitted to practice in New York, Massachusetts, and United States District Courts for the Eastern and Southern Districts of New York.

MICHAEL COHEN - ATTORNEY

Mr. Cohen focuses his practice on securities and shareholder derivative litigation. Prior to joining The Rosen Law Firm in 2021, Mr. Cohen was an associate in the litigation practice of Kramer Levin Naftalis & Frankel LLP, where he advised corporate and individual clients on a wide variety of litigation and regulatory matters in federal and state courts. He has also served as a law clerk to the Honorable Corinne Beckwith of the District of Columbia Court of Appeals. Mr. Cohen is admitted to practice in New York and the United States District Courts for the Eastern and Southern Districts of New York.

RYAN HEDRICK –ATTORNEY

Mr. Hedrick received his J.D. from the University of Chicago in 2019. He received his B.A. in Linguistics and Political Science, *summa cum laude*, from The Ohio State University in 2015. Mr. Hedrick joined the Rosen Law Firm in August 2019. Mr. Hedrick is admitted to practice in New York, New Jersey, and the United States District Court for the District of New Jersey

HA SUNG (SCOTT) KIM – ATTORNEY

Mr. Kim received his J.D. from the Columbia Law School in 2017. He received his B.A., *magna cum laude*, from Wheaton College in 2013. Mr. Kim joined the Rosen Law Firm in January 2020. Mr. Kim is admitted to practice in New York.

BRENT LAPOINTE – ATTORNEY

Mr. LaPointe received his J.D., *cum laude*, from the University of Michigan Law School in 2010, where he served as an Articles Editor on both the Michigan Journal of Law Reform and the Michigan Journal of Gender & Law. Mr. LaPointe received a B.B.A. in Accounting & Information Systems and Political Science, *cum laude*, from the University of Massachusetts-Amherst in 2006. Mr. LaPointe focuses his practice on securities litigation.

LEAH HEIFETZ-LI – ATTORNEY

Ms. Heifetz-Li is a 2009 graduate of Columbia Law School, and received a B.A. from the University of Pennsylvania. Ms. Heifetz-Li served as a Law Clerk to the Honorable Cynthia S. Kern, New York State Supreme Court, New York County. She has extensive experience in class action litigation, having previously practiced at a large class action firm representing shareholders in merger and acquisition litigation as well as shareholder derivative actions. Ms. Heifetz-Li has worked on case teams that secured significant financial recoveries for stockholders as well as corporate governance reforms in the Delaware Court of Chancery and other courts throughout the country.

IAN MCDOWELL- ATTORNEY

Mr. McDowell graduated *cum laude* from the University of Richmond School of Law in 2022. He received his B.A. from James Madison University in 2016. Mr. McDowell is admitted to practice in Maryland.

CHRISTIE BUZZETTI- LAW CLERK

Ms. Buzzetti graduated from Brooklyn Law School in 2022. She received her B.A. in Political Science from the University of California, Los Angeles in 2016. Ms. Buzzetti passed the New York bar exam and her admission is pending.

II. RECENT ACCOMPLISHMENTS OF THE ROSEN LAW FIRM PA

- **Alibaba Group Holding Ltd.**, (S.D.N.Y.). Rosen Lead Counsel. **\$250 million.**
- **Fiat Chrysler Automobiles**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$110 million.**
- **Silver Wheaton Corp.**, (C.D. Cal.). Rosen Lead Counsel. **\$41.5 million.**
- **Omega Healthcare Investors, Inc.**, (S.D.N.Y.). Rosen Lead Counsel. **\$30.75 million**, pending court approval.
- **Magnachip Semiconductor Corp.**, (N.D. Cal.). Rosen Co-Lead Counsel. **\$29.7 million.**
- **Och-Ziff Capital Management Group LLC**,(S.D.N.Y.). Rosen Co-Lead Counsel. **\$28.75 million.**
- **Walter Investment Management**, (S.D. Fla.). Rosen Co-Lead Counsel. **\$24 million.**
- **Galena Biopharma, Inc.**, (D. Or.). Rosen Co-Lead Counsel. **\$20.165 million.**
- **El Pollo Loco Holdings, Inc.**, (C.D. Cal.). Rosen Co-Lead Counsel. **\$20 million.**
- **Tibet Pharmaceuticals, Inc.**, (D.N.J.). Rosen Lead Counsel. **\$14 million bankruptcy settlement. \$2.075 million** with auditor.
- **USA Technologies, Inc.**, (E.D. Pa.). Rosen Lead Counsel. **\$15.3 million.**
- **Zillow Group, Inc. Sec. Litig.**, (W.D. Wash.). Rosen Lead Counsel. **\$15 million**, pending Court approval.
- **Silvercorp Metals, Inc.**, (S.D.N.Y.). Rosen Plaintiffs' Counsel. **\$14 million.**
- **Sandridge Energy, Inc.**, (W.D. Okla.). Rosen Co-Lead Counsel. **\$13.945 million.**

- **Blue Apron Holdings, Inc.**, (E.D.N.Y.). Rosen Co-Lead Counsel. **\$13.25 million.**
- **Canopy Growth Corporation**, (D.N.J.). Rosen Co-Lead Counsel. **\$13 million.**
- **SeaWorld Entertainment Inc. (Shareholder Derivative)** (Del. Ch.). Rosen Co-Lead Counsel. **\$12.5 million.**
- **The RealReal, Inc.**, (N.D. Cal.). Rosen Lead Counsel. **\$11 million.**
- **Prosper Marketplace, Inc.**, (Cal. Superior). Rosen Class Counsel. **\$10 million.**
- **PG&E Corp.**, (N.D. Cal.). Rosen Co-Lead Counsel. **\$10 million.**
- **Textainer Financial Servs. Corp.**, (Cal. Superior). Rosen Co-Lead Counsel. **\$10 million.**
- **Quest Energy Partners LP**, (W.D. Okla.). Rosen Lead Counsel. **\$10.1 million** all classes.
- **comScore, Inc. (Shareholder Derivative)**, Rosen Co-Lead Counsel. **\$10 million.**
- **Santander Consumer USA Holdings Inc.**, (N.D. Tex.). Rosen Co-Lead Counsel. **\$9.5 million.**
- **Uxin Limited**, (E.D.N.Y.). Rosen Lead Counsel. **\$9.5 million.**
- **Concordia International Corp.**, (S.D.N.Y.). Rosen Lead Counsel. **\$9.25 million.**
- **PPDAI Group Inc.**, (E.D.N.Y.). Rosen Lead Counsel. **\$9 million.**
- **Puda Coal**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$8.7 million.**
- **RINO International Corporation**, (C.D. Cal.). Rosen Lead Counsel. **\$8,685,000.**
- **Acer Therapeutics, Inc.**, (S.D.N.Y.). Rosen Lead Counsel. **\$8.35 million.**
- **Montage Technology Group Limited**, (N.D. Cal.). Rosen Lead Counsel. **\$7.25 million.**
- **AgFeed Industries**, (M.D. Tenn.). Rosen Lead Counsel. **\$7 million.**
- **Sundial Growers, Inc.**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$7 million.**
- **Akazoo S.A.**, (E.D.N.Y.). Rosen Co-Lead Counsel. **\$6.51 million.**

- **Global Brokerage, Inc. f/k/a FXCM, Inc. Sec. Litig.**, (S.D.N.Y.). Rosen Lead Counsel. **\$6.5 million**, pending Court approval.
- **Aeterna Zentaris, Inc.**, (D. N.J.). Rosen Class Counsel. **\$6.5 million**.
- **FalconStor Software, Inc.**, (E.D.N.Y.). Rosen Lead Counsel. **\$5 million**.
- **Jumia Technologies AG**, (S.D.N.Y.). Rosen Lead Counsel. **\$5 million**.
- **Momo, Inc.**, (S.D.N.Y.). Rosen Lead Counsel. **\$5 million**.
- **SOS Limited**, (D.N.J.). Rosen Co-Lead Counsel. **\$5 million**.
- **Jumia Technologies AG**, (S.D.N.Y.). **\$5 million**.
- **State Street**, (D. Mass.). Rosen Lead Counsel. **\$4.9 million**.
- **Altice USA Inc.**, (E.D.N.Y.). Rosen Lead Counsel. **\$4.75 million**.
- **KIOR, Inc.**, (S.D. Tex.). Rosen Co-Lead Counsel. **\$4.5 million**.
- **Entropin, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$4.5 million**.
- **Uni-Pixel, Inc.**, (S.D. Tex.). Rosen Co-Lead Counsel. **\$4.5 million**.
- **China Expert Technology, Inc.**, (S.D.N.Y.). Rosen Lead Counsel. **\$4.2 million**.
- **IDreamSky Technology Limited**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$4.15 million**.
- **Universal Travel Group, Inc.**, (D.N.J.). Rosen Lead Counsel. **\$4.075 million**.
- **Allegiant Travel Co.**, (D. Nev.). Rosen Lead Counsel. **\$4 million**.
- **Zynerba Pharms., Inc.**, (E.D. Pa.). Rosen Co-Lead Counsel. **\$4 million**.
- **Liberty Oilfield Services, Inc.**, (D. Colo.). Rosen Lead Counsel. **\$3.9 million**.
- **China Electric Motor, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$3,778,333.33**.
- **IsoRay, Inc.**, (E.D. Wash.). Rosen Co-Lead Counsel. **\$3,537,500**.
- **Deer Consumer Products, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$3.55 million**.
- **SAExploration Holdings, Inc.**, (S.D. Tex.). **\$3.55 million**.

- **L&L Energy, Inc.,** (S.D.N.Y.). Rosen Lead Counsel. **\$3.5 million.**
- **Catalyst Pharmaceutical Partners, Inc.,** (S.D. Fla.). Rosen Lead Counsel. **\$3.5 million.**
- **Keyuan Petrochemicals, Inc. and Auditor,** (S.D.N.Y.) & (D.N.J.). Rosen Lead Counsel. **\$3.5 million.**
- **StockerYale, Inc.,** (D.N.H.). Rosen Lead Counsel. **\$3.4 million.**
- **Industrial Enterprises of America, Inc.,** (S.D.N.Y.). Rosen Co-Lead Counsel. **\$3.4 million.**
- **Ampio Pharmaceuticals, Inc.,** (C.D. Cal.). Rosen Lead Counsel. **\$3.4 million.**
- **Textura Corporation,** (N.D. Ill.). Rosen Lead Counsel. **\$3.3 million.**
- **Roka Bioscience, Inc.,** (D.N.J.). Rosen Lead Counsel. **\$3.275 million.**
- **Intrusion, Inc.,** No. 21-cv-307-SDJ (E.D. Tex.). Rosen Lead Counsel. **\$3.25 million.**
- **Wedbush Morgan Securities, Inc.,** (Cal. Superior). Co-Lead Counsel. **\$3.2 million.**
- **New Oriental Education & Technology Group Inc.,** (D.N.J.). Rosen Co-Lead Counsel. **\$3.15 million.**
- **TierOne Corporation,** (D. Neb.). Rosen Lead Counsel. **\$3.1 million.**
- **Cadiz, Inc.,** (C.D. Cal.). Rosen Co-Lead Counsel. **\$3 million.**
- **Fat Brands, Inc.,** (C.D. Cal.). Rosen Lead Counsel. **\$3 million.**
- **China Finance Online Co. Limited,** (S.D.N.Y.). Rosen Lead Counsel. **\$3 million.**
- **Skilled Healthcare Group, Inc.,** (C.D. Cal.). Rosen Co-Lead Counsel. **\$3 million.**
- **Spectrum Pharms. Inc.,** (D. Nev.). Rosen Lead Counsel. **\$2.995 million.**
- **MiMedx Group, Inc.,** (N.D. Ga.). Rosen Lead Counsel. **\$2.979 million.**
- **Pegasus Communications Corp,** (E.D. Pa.). Rosen Lead Counsel. **\$2.95 million.**
- **Albany Molecular Research,** (E.D.N.Y.). Rosen Lead Counsel. **\$2.868 million.**

- **Lihua International, Inc.**, (S.D.N.Y.). Rosen Lead Counsel. **\$2.865 million.**
- **TVIA, Inc.**, (N.D. Cal.). Rosen Lead Counsel. **\$2.85 million.**
- **New Source Energy Partners LP**, (S.D.N.Y.). Rosen Lead Counsel. **\$2.85 million.**
- **Innocoll Holdings Public Ltd.**, (E.D. Pa.). Rosen Lead Counsel. **\$2.755 million.**
- **Natural Health Trends Corp., et al.**, (N.D. Tex.). Rosen Lead Counsel. **\$2.75 million.**
- **Sequans Communications**, (E.D.N.Y.). Rosen Co-Lead Counsel. **\$2.75 million.**
- **Akari Therapeutics PLC**, (S.D.N.Y.). Rosen Lead Counsel. **\$2.7 million.**
- **Growlife, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$2.7 million (cash and stock).**
- **Tangoe, Inc.**, (D. Conn.). Rosen Co-Lead Counsel. **\$2.55 million.**
- **Twitter, Inc.**, (Cal. Superior). Rosen Co-Lead Counsel. **\$2.5 million.**
- **Radiant Pharmaceuticals Corporation**, (C.D. Cal.). Rosen Lead Counsel. **\$2.5 million.**
- **Robert T. Harvey Securities Litigation**, (C.D. Cal.). Rosen Co-Lead Counsel. **\$2.485 million.**
- **China Education Alliance, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$2.425 million.**
- **Oasmia Pharmaceuticals AB.**, (E.D.N.Y.). Rosen Co-Lead Counsel. **\$2.35 million.**
- **BioAmber, Inc.**, (E.D.N.Y.). Rosen Co-Lead Counsel. **\$2.25 million.**
- **NetApp, Inc.**, (N.D. Cal.). Rosen Lead Counsel. **\$2.25 million.**
- **Akers Biosciences, Inc.**, (D.N.J.). Rosen Lead Counsel. **\$2.25 million.**
- **Kanzhun Limited**, (D.N.J.). Rosen Lead Counsel. **\$2.25 million.**
- **SkyPeople Fruit Juice**, (S.D.N.Y.). Rosen Lead Counsel. **\$2.2 million.**
- **Caesarstone Sdot-Yam Ltd.**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$2.2 million.**
- **RCI Hospitality Holdings Inc.**, (S.D. Tex.). Rosen Co-Lead Counsel. **\$2.2 million.**
- **Fuwei Films**, (S.D.N.Y.). Rosen Lead Counsel. **\$2.15 million.**

- **Gulf Resources, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$2.125 million.**
- **PTC Inc.**, (D. Mass.). Rosen Lead Counsel. **\$2.1 million.**
- **DS Healthcare Group, Inc.**, (S.D. Fla.). Rosen Lead Counsel. **\$2.1 million.**
- **Indivior PLC**, (D.N.J.). Rosen Lead Counsel. **\$2 million.**
- **Orient Paper, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$2 million.**
- **Mesoblast Limited**, (S.D.N.Y.). Rosen Lead Counsel. **\$2 million.**
- **GTT Communications, Inc.**, No. 21-CV-270-DOC-AS (C.D. Cal.). **\$2 million.**
- **iBio, Inc.**, (D. Del.). Rosen Lead Counsel. **\$1.875 million.**
- **CD Projekt SA**, No. CV-20-11627 (FMO)(RAOx) (C.D. Cal.). **\$1.85 million**, pending court approval.
- **Ignite Restaurant Group, Inc.**, (S.D. Tex.). Rosen Lead Counsel. **\$1.8 million.**
- **Electronic Game Card, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$1.755 million.**
- **BMW AG**, (D.N.J.). Rosen Lead Counsel. **\$1.75 million.**
- **Natural Health Trends Corp.**, (C.D. Cal.). Rosen Co-Lead Counsel. **\$1.75 million.**
- **Corrrevio Pharma Corp.**,(S.D.N.Y.). Rosen Co-Lead Counsel. **\$1.75 million.**
- **Delstaff LLC (Merger Litigation)**, (Cal. Superior). **\$1.6425 million.**
- **Worldwide Energy & Manufacturing USA, Inc.**, (Cal. Superior). Rosen Lead Counsel. **\$1.615 million.**
- **Alliance MMA, Inc.**, (D.N.J.). Rosen Lead Counsel. **\$1.55 million.**
- **Lightinthebox Holding Co., Ltd.**, (S.D.N.Y.). Rosen Lead Counsel. **\$1.55 million.**
- **Nutracea, Inc.**, (D. Ariz.). Rosen Lead Counsel. **\$1.5 million.**
- **Kraton Corporation**, (S.D. Tex.). Rosen Lead Counsel. **\$1.5 million.**
- **RMG Networks Holding Corporation (Merger Litigation)**, (Del. Ch.). **\$1.5 million.**

- **BlueNRGY Group Ltd, f/k/a CBD Energy Ltd.,** (S.D. Tex.). Rosen Lead Counsel. **\$1.5 million.**
- **Ambow Education Holding Ltd.,** (C.D. Cal.). Rosen Lead Counsel. **\$1.5 million.**
- **Active Power, Inc.,** (W.D. Tex.). Rosen Lead Counsel. **\$1.5 million.**
- **Northfield Laboratories, Inc.,** (N.D. Ill.). Rosen Lead Counsel. **\$1.5 million.**
- **PartsBase.com, Inc.,** (S.D. Fla.). Rosen Lead Counsel. **\$1.5 million.**
- **China Natural Gas, Inc.,** (D. Del.). Rosen Lead Counsel. **\$1.5 million.**
- **FAB Universal Corp.,** (S.D.N.Y.). Rosen Co-Lead Counsel. **\$1.5 million.**
- **Sogou, Inc.,** (S.D.N.Y.). Rosen Co-Lead Counsel. **\$1.45 million.**
- **Code Rebel Corp.,** (S.D.N.Y.). Rosen Co-Lead Counsel. **\$1.415 million.**
- **Empyrean Bioscience,** (N.D. Ga.). Rosen Lead Counsel. **\$1.4 million.**
- **Shattuck Labs, Inc.,** (E.D.N.Y.). Rosen Lead Counsel. **\$1.4 million,** pending Court approval.
- **Agria, Inc.,** (D.N.J.). Rosen Lead Counsel. **\$1.3 million.**
- **Ateerian, Inc.,** (S.D.N.Y.). Rosen Lead Counsel. **\$1.3 million.**
- **CoCrystal Pharma, Inc.,** (D.N.J.). Rosen Lead Counsel. **\$1.265 million.**
- **Wins Financial Holdings, Inc.,** (C.D. Cal.). Rosen Lead Counsel. **\$1.26 million,** pending Court approval.
- **ERBA Diagnostics, Inc.,** (S.D. Fla.). Rosen Lead Counsel. **\$1.215 million.**
- **Yingli Green Energy Holding Co. Ltd.,** (C.D. Cal.). Rosen Lead Counsel. **\$1.2 million.**
- **Himax Technologies, Inc.,** (C.D. Cal.). Rosen Co-Lead Counsel. **\$1.2 million.**
- **Flight Safety Technologies, Inc.,** (D. Conn.). Rosen Lead Counsel. **\$1.2 million.**
- **M.H. Meyerson & Co.,** (D.N.J.). Rosen Lead Counsel. **\$1.2 million.**

- **Izea, Inc.**, (C.D. Cal.). Rosen Co-Lead Counsel. **\$1.2 million.**
- **India Globalization Capital, Inc.**, (D. Md.). Rosen Co-Lead Counsel. **\$1 million.**
- **National Lampoon, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$1 million.**
- **Lentuo International, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$1 million.**
- **Katanga Mining Limited**, (D.N.J.). Rosen Lead Counsel. **\$1 million.**
- **Busybox.com, Inc.**, (Cal. Superior). Rosen Co-Lead Counsel. **\$1 million.**

III. SECURITIES CLASS ACTIONS IN WHICH THE ROSEN LAW FIRM P.A. IS CURRENTLY LEAD COUNSEL

Barney v. Nova Lifestyle, Inc., No. CV 18-10725-AB-AFM (C.D. Cal.). Rosen Lead Counsel.

In re Maiden Holdings, Ltd. Securities Litigation, No. 19-CV-5296-RMB-JS (D.N.J.)
Rosen Co-Lead Counsel.

Acerra v. Trulieve Cannabis Corp., No. 20-cv-186-RH-MJF (N.D. Fla.). Rosen Lead Counsel.

In re ChinaCast Education Corporation Sec. Litig., No. CV 12-4621- JFW (PLAx) (C.D. Cal.). Rosen Co-Lead Counsel.

Oh v. Hanmi Financial Corporation, No. CV 20-2844-AB (JCx) (C.D. Cal.). Rosen Lead Counsel.

White v. Just Energy Group Inc., No. H-20-590 (S.D. Tex.). Rosen Lead Counsel.

Horowitz v. Sunlands Technology Group, No. 19-CV-3744 (LDH)(RML) (E.D.N.Y.).
Rosen Lead Counsel.

Kasillingam v. Tilray, Inc., No. 20-CV-3459 (PAC) (S.D.N.Y.). Rosen Lead Counsel.

In re: Tupperware Brands Corporation Sec. Litig., No. 20-cv-357-GJK (M.D. Fla.). Rosen Lead Counsel.

Gordon v. Tencent Music Entertainment Group, No. 19-CV-5465 (LDH) (SMG) (E.D.N.Y.). Rosen Lead Counsel.

In re NIO, Inc. Securities Litigation, No. 19-CV-1424 (NGG) (JRC) (E.D.N.Y.). Rosen Lead Counsel.

In re JPMorgan Chase & Co. Sec. Litig., No. 20-cv-5124 (ENV)(RML) (E.D.N.Y.). Rosen Co-Lead Counsel.

City of Taylor General Employees Retirement System v. Astec Industries, Inc., No. 1:19-cv-PLR-CHS. (E.D. Tenn.). Rosen Lead Counsel.

Miller v. Sonus Networks, Inc., No. 18-12344-GAO (D. Mass). Rosen Co-Lead Counsel.

Lee v. IQIYI, Inc., No. 20-cv-1830 (LDH)(JO) (E.D.N.Y.). Rosen Co-Lead Counsel.

Alagappan v. Baidu, Inc., No. 20-cv-3794 (DG)(TAM) (E.D.N.Y.). Rosen Co-Lead Counsel.

Lavin v. Virgin Galactic Holdings Inc., No. 21-CV-3070 (ARR)(TAM) (E.D.N.Y.). Rosen Lead Counsel.

Spar v. Celsion Corporation, No. 20-cv-15228 (MAS)(DEA) (D.N.J.). Rosen Lead Counsel.

Handal v. Tenet Fintech Group, Inc., No. 21-cv-6461 (PKC)(RLM) (E.D.N.Y.). Rosen Lead Counsel.

Baker v. Twitter, Inc., No. 22-cv-6525-MCS (C.D. Cal.). Rosen Lead Counsel.

Atery v. Astra Space, Inc., No. 22-cv-737 (NM)(MMH) (E.D.N.Y.). Rosen Co-Lead Counsel.

Hoang v. ContextLogic, Inc., No. 21-cv-3930-BLF (N.D. Cal.). Rosen Co-Lead Counsel.

Mallozzi v. Innovative Industrial Properties, Inc., No. 22-cv-2359-EP-JRA (D.N.J.). Rosen Lead Counsel.

Gru v. Axsome Therapeutics, Inc., No. 22-cv-3925 (AGS) (S.D.N.Y.). Rosen Co-Lead Counsel.

Pratyush v. Full Truck Alliance Co., No. 21-cv-3903 (LDH)(MMH) (E.D.N.Y.). Rosen Lead Counsel.

Farhar v. Ontrak, Inc., No. 21-CV-1987-FLA-A (C.D. Cal.). Rosen Lead Counsel.

Cao v. Uber Technologies, Inc., No. 22-cv-4688-YGR (N.D. Cal.). Rosen Lead Counsel.

Chen v. Missfresh Limited, No. 22-CV-4065 (WFK)(VMS) (E.D.N.Y.). Rosen Co-Lead Counsel.

In re Vanguard Chester Funds Litig., No. 22-cv-955-ER (E.D. Pa.). Rosen Lead Counsel.

In re Walmart Secs. Litig., No. 21-cv-55-CFC (D. Del.). Rosen Lead Counsel.

Sanchez v. Arrival SA, No. 220cv0172 (DG)(RLM) (E.D.N.Y.). Rosen Lead Counsel.

In re Evolus Inc., Sec. Litig., No. 20-cv-8647 (PGG) (S.D.N.Y.). Rosen Lead Counsel.

Winter v. Stronghold Digital Mining, Inc., No. 22-CV-3088 (RA). Rosen Lead Counsel.

In re Riskified Sec. Litig., 22-cv-3545 (DLC) (S.D.N.Y.). Rosen Lead Counsel.

In re January 2021 Short Squeeze Trading Litig., 21-2989-MDL (S.D. Fla.). Rosen Lead Counsel.

Barnish v. Li-Cycle Holdings Corp., No. 22-CV-2222 (HG)(RML) (E.D.N.Y.). Rosen Lead Counsel.

Schutter v. Tarena International, Inc., No. 21-cv-3502 (PKC)(RML) (E.D.N.Y.). Rosen Lead Counsel.

In re VEON Ltd. Sec. Litig., No. 15-cv-8672 (ALC)(OTW) (S.D.N.Y.). Rosen Lead Counsel.

Hacker .v Electric Last Mile Solutions, No. 22-CV-545-CCC (D.N.J.). Rosen Lead Counsel.

In re Volkswagen AG Sec. Litig., No. 22-cv-45-RDA-TCB (E.D. Va.). Rosen Lead Counsel.

Coggins v. Camber Energy, Inc., No. 21-cv-3574 (S.D. Tex.). Rosen Co-Lead Counsel.

Malespin v. Longeveron, Inc., No. 21-cv-23303-MGC (S.D. Fla.). Rosen Lead Counsel.

Jiang v. Bluecity Holdings Limited, No. 21-CV-4044 (FB)(CLP) (E.D.N.Y.). Rosen Co-Lead Counsel.

Friel v. Dapper Labs, Inc., No. 21-CV-5837 (VM) (S.D.N.Y.). Rosen Lead Counsel.

Richfield v. Polarityte, No. 210CV0651 (BSJ) (D. Utah). Rosen Lead Counsel.

Wenzel v. Semiconductor Manufacturing Int'l Corp., No. 20-CV-11219-GW (C.D. Cal.). Rosen Lead Counsel.

Cheng v. Activision Blizzard, Inc., No. 21-CV-6240-PA-JEM (C.D. Cal.). Rosen Lead Counsel.

In re DiDi Global Inc. Sec. Litig., No. 21-CV-5807 (LAK) (S.D.N.Y.). Rosen Lead Counsel.

In re Infinity Q Diversified Alpha Fund Sec. Litig., No. 651295/2021 (N.Y. Supreme). Rosen Co-Lead Counsel.

Patterson v. TerraForm Labs Pte Ltd., No. 22-cv-3600-TLT (N.D. Cal.). Rosen Lead Counsel.

Diaz v. The Gap, Inc., No. 22-cv-7371 (DG)(RER) (E.D.N.Y.). Rosen Lead Counsel.

Adams Trust v. IBM Corp., No. 23-CV-332 (VB) (S.D.N.Y.). Rosen Co-Lead Counsel.

Freudiger v. Molecular Partners AG, No. 22-CV-5925 (ER) (S.D.N.Y.). Rosen Lead Counsel.

Plagens v. Deckard (Covia Holdings Corp.), No. 20-CV-2744-JPC. (N.D. Ohio). Rosen Lead Counsel.

Armbruster v. Gaia, Inc., No. 22-CV-3267 (D. Colo.). Rosen Lead Counsel.

Pang v. Levitt (Core Scientific, Inc.), No. 22-CV-1191-LY (W.D. Tex.). Rosen Lead Counsel.

Fung v. Sunlight Financial Holdings, Inc., No. 22-CV-10658 (AKH) (S.D.N.Y.). Rosen Lead Counsel.

Brennan v. Latch, Inc., No. 22-CV-7473 (JGK) (S.D.N.Y.). Rosen Lead Counsel.

Exhibit 3

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 21-cv-23303- ALTMAN/Brannon

**Honorable Roy K. Altman, United States District Judge for the Southern District of
Florida**

JERALD VARGAS MALESPIN, individually
and on behalf of all others similarly situated,

Plaintiff,

vs.

LONGEVERON INC., GEOFF GREEN,
JAMES CLAVIJO, JOSHUA M. HARE,
DONALD M. SOFFER, NEIL E. HARE,
ROCK SOFFER, EF HUTTON F/K/A
KINGSWOOD CAPITAL MARKETS, and
ALEXANDER CAPITAL L.P.

Defendants.

_____ /

DECLARATION OF JOHN BOSICO

Pursuant to 28 U.S.C. §1746, I, John Bosico, declare:

I am above the age of 18 and fully competent to make this declaration. If called as a witness, I would testify as follows:

1. I am the Lead Plaintiff in the above-captioned securities class action (“Action”), and a proposed Settlement Class Representative. I submit this declaration in support of: (a) the motion for final approval of the proposed settlement and approval of the proposed plan of allocation; (b) the motion for an award of attorneys’ fees and reimbursement of litigation expenses; and (c) my request for reimbursement of the reasonable costs and expenses, including lost wages, incurred in connection with my representation of the Class.

2. I have personal knowledge of the matters set forth in this declaration and, if called upon, I could and would competently testify to these matters.

3. I am aware of and understand the requirements and responsibilities of a representative plaintiff in a securities class action, including those set forth in the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 77z and 15 U.S.C. § 78u, and I have discharged those duties to the best of my ability.

4. During the time period when this litigation was pending I was a Product and Project Manager. I also did freelance accounting work and freelance computer consulting work. I have bachelors degrees in Accounting and Economic Finance. I am also a veteran of the United States Air Force. While I was in the Air Force I reached the rank of Technical Sergeant. I live in O’Fallon, Illinois.

5. I approved the Settlement of this Action for \$1,397,500.

6. I have been actively involved in the prosecution of this case since I reached out to my attorneys regarding serving as a Lead Plaintiff in this action and filed the amended complaint.

7. In fulfillment of my responsibilities as a named Plaintiff on behalf of the members of the Class in this Action, I have worked closely with Lead Counsel regarding all aspects of the litigation and the resolution of the Action.

8. Throughout the litigation, I received periodic status reports from Lead Counsel on case developments and participated in regular discussions concerning the prosecution of the Action, the strengths of and risks of the claims, and potential settlement. In particular, throughout the course of this Action, I: (a) regularly communicated with my attorneys regarding the posture and progress of the case, as well as litigation strategy; (b) reviewed all significant pleadings and briefs filed in the Action, including the initial complaint and the amended complaint; (c) reviewed Court orders and discussed them with my attorneys; (d) evaluated and approved the proposed Settlement; and (e) reviewed the settlement documents.

9. Based on my involvement throughout the prosecution and resolution of the claims asserted in the Action, I believe that the Settlement provides an excellent recovery for the Settlement Class, particularly in light of the risks of continued litigation. Thus, I believe that the proposed Settlement is fair, reasonable, and adequate to the Settlement Class and I strongly endorse approval of the Settlement by the Court.

10. I believe that Lead Counsel’s request for an award of attorneys’ fees in the amount of one-third of the Settlement Fund, or \$465,833.33, is fair and reasonable in light of the work Lead Counsel performed on behalf of the Settlement Class. I have evaluated Lead Counsel’s fee

request by considering the work performed, the recovery obtained for the Settlement Class, and the risks of the Action, and have authorized this fee request for the Court's ultimate determination.

11. I further believe that the litigation expenses being requested for reimbursement to Lead Counsel are reasonable and represent costs and expenses necessary for the prosecution and resolution of the claims in the Action. Based on the foregoing, and consistent with my obligation to the Settlement Class to obtain the best result at the most efficient cost, I fully support Lead Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses.

12. I understand that the PSLRA provides for the reimbursement of costs and expenses (including lost wages) incurred or otherwise absorbed by a representative plaintiff in connection with services rendered in the course of litigation. I believe that I fulfilled my fiduciary duty to class members to work with counsel to make sure the class received fair and adequate representation. I have done my best to promote the interests of the class vigorously and to obtain the largest recovery possible under the circumstances, which I believe the Settlement achieves.

13. The time that I devoted to the representation of the Settlement Class in this Action was time that I was unable to do freelance work, for which I have charged up to \$100 per hour. These lost wages, thus, represent a cost to me. I seek reimbursement in the amount of \$1,500 for the time I devoted to participating in this Action, which I estimate amounted to be approximately 15 hours on the litigation-related activities described above. It is my belief that this request for reimbursement is fair and reasonable.

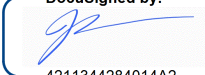
14. I believe that the time and effort I devoted to this litigation was necessary to help achieve the Settlement for the Settlement Class.

15. Accordingly, I respectfully request that the Court award me \$1,500 as reimbursement for the reasonable costs and expenses directly related to my representation of the Class. I believe this request is fair and reasonable.

16. In conclusion, I strongly endorse the Settlement as fair, reasonable, and adequate. I respectfully request that the Court approve: (a) the motion for final approval of the proposed Settlement and approval of the proposed plan of allocation; (b) the motion for an award of attorneys' fees and reimbursement of litigation expenses; and (c) my request for reimbursement of the reasonable costs and expenses I incurred in prosecuting the Action of behalf of the Settlement Class.

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

Executed on 4/28/2023

DocuSigned by:

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John Bosico