

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

KIMBERLY GARTHWAIT, *et al.*,

Plaintiffs,

v.

EVERSOURCE ENERGY SERVICE
COMPANY, *et al.*,

Defendants.

Case No: 3:20-cv-00902-JCH

**MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND
ATTORNEYS' FEES, EXPENSES, AND CASE CONTRIBUTION AWARDS**

Plaintiffs Kimberly Garthwait, Cumal T. Gray, Kristine T. Torrance, and Michael J.

Hushion, on behalf of the Eversource 401(k) Plan (the "Plan") and the proposed Settlement Class, hereby move (the "Motion") pursuant to Federal Rule of Civil Procedure 23 for entry of an Order that: (1) finally approves the Settlement Agreement dated April 14, 2023 with Defendants Eversource Energy Service Company, the Board of Directors of Eversource Energy Service Company, the Eversource Plan Administration Committee, and the Eversource Investment Management Committee (collectively, "Defendants");¹ (2) maintains certification of the Settlement Class; (3) finds the manner in which the Settlement Class was notified of the Settlement was the best notice practicable under the circumstances, and fair, reasonable, and adequate; (4) approves the Plan of Allocation; and (5) awards attorneys' fees of one-third of the Settlement Fund, litigation expenses in the amount of \$477,833.31, and \$15,000 each to

¹Terms not defined herein shall have the same meaning as in the Settlement Agreement.

Plaintiffs.²

For the reasons set forth in the Settlement Agreement, accompanying memorandum of law, and all supporting papers, as well as the record in this litigation, Plaintiffs respectfully submit that the proposed settlement memorialized in the Settlement Agreement is fair, reasonable, and adequate, and should be finally approved, the Settlement Class should be maintained through entry of a final judgment, and the related applications should be granted.

The Settlement is the product of arm's-length negotiations between the parties and their counsel, all of whom comprehensively litigated this matter, are well-informed regarding all the issues in this litigation, and have significant experience in complex litigation of this type. Accordingly, Plaintiffs respectfully request that the Court enter the proposed Final Approval Order.

Plaintiffs stand ready to provide any additional information that the Court may require in connection with its consideration of the Motion.

DATED: August 14, 2023

Respectfully submitted,

/s/ Laurie Rubinow
James E. Miller
Laurie Rubinow
MILLER SHAH LLP
65 Main Street
Chester, CT 06412
Telephone: (860) 540-5505
Facsimile: (866) 300-7367
Email: jemiller@millershah.com
lrubinow@millershah.com

²If helpful to the Court, Plaintiffs would be happy to provide a Word version of the proposed Final Approval Order.

James C. Shah
Alec J. Berin
MILLER SHAH LLP
1845 Walnut Street, Suite 806
Philadelphia, PA 19103
Telephone: (866) 540-5505
Facsimile: (866) 300-7367
Email: jcshah@millershah.com
ajberin@millershah.com

Kolin C. Tang
MILLER SHAH LLP
19712 MacArthur Boulevard, Suite 222
Irvine, CA 92612
Telephone: (866) 540-5505
Facsimile: (866) 300-7367
Email: kctang@millershah.com

Mark K. Gyandoh
CAPOZZI ADLER, P.C.
132 Old Lancaster Road
Merion Station, PA 19066
Telephone: (610) 890-0200
Facsimile: (717) 233-4103
Email: markg@capozziadler.com

*Attorneys for Plaintiff, the Plan,
and the Settlement Class*

CERTIFICATE OF SERVICE

I certify that, on August 14, 2023, I caused the foregoing document to be filed using the Court's CM/ECF system, which thereby sent notice to all counsel of record.

/s/ Laurie Rubinow _____

Laurie Rubinow