

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
PADUCAH DIVISION
CASE NO. 5:21-cv-00068-BJB
(Electronically Filed)

DANIEL MCNALLY,
Individually and on behalf of all
others similarly situated

PLAINTIFFS

v.

THE KINGDOM TRUST COMPANY

DEFENDANT.

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR AN AWARD OF
ATTORNEYS' FEES, REIMBURSEMENT OF CASE EXPENSES, AND FOR SERVICE
AWARDS**

Plaintiffs' Motion for an Award of Attorneys' Fees, Reimbursement of Case Expenses, and for Service awards came on for consideration this day. The Court, having considered the pleadings, attachments, and argument from counsel, hereby finds as follows:

1. Plaintiff's Motion is well taken and the Court awards attorneys' fees in the amount of \$_____, and \$_____ in reimbursement of litigation expenses, which sums the Court finds to be fair and reasonable, and which amount constitutes a negative multiplier on Class Counsels' lodestar. Class Counsel shall allocate the attorneys' fee award amongst Plaintiffs' counsel (including local counsel);

2. The fee sought by Class Counsel has been reviewed and approved as reasonable by the Class Representatives, the investors who oversaw the prosecution and resolution of the Action;

3. The Notice mailed to potential Settlement Class Members and nominees stated that Class Counsel would apply for attorneys' fees in an amount not to exceed 33 1/3% of the Settlement Fund and expenses not to exceed \$20,000;

4. The Action raised a number of complex issues;

5. Had Class Counsel not achieved the Settlement there would remain a significant risk that Class Representatives and the other members of the Settlement Class may have recovered less or nothing from Defendant;

6. Class Counsel conducted the litigation and achieved the Settlement with skill, perseverance, and diligent advocacy;

7. The amount of attorneys' fees awarded and litigation expenses to be paid from the Settlement Fund are fair and reasonable, and consistent with awards in similar cases;

8. Public policy concerns favor the award of attorneys' fees and expenses in securities class action litigation; and,

9. Class Counsel has moved for a Service Award payable to the two Class Representatives out of the Settlement Fund in recognition of their time and efforts in prosecuting the Action for the benefit of the Settlement Class. Those efforts included, among other things: gathering documents; working with Class counsel at every stage of the litigation to offer input; working with Class counsel to respond to written discovery requests; submitting to deposition; traveling to Denver, Colorado for mediation; and, working with Class Counsel after the mediation ended in an impasse to discuss prospects for a resolution of the claims. The Court finds that service awards to the Class Representatives in the amount of \$_____ per person are fair and reasonable and the Court approves the Service Awards in that amount. The Court directs the Claims

Administrator to disburse the Service Award to the Class Representatives as provided in the Stipulation and Agreement of Settlement.

This ____ day of _____, 2026

Benjamin Beaton, District Judge
United States District Court