

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CYNTHIA RUSSO, LISA BULLARD,)	Case No. 1:17-cv-02246
RICARDO GONZALES, INTERNATIONAL)	
BROTHERHOOD OF ELECTRICAL)	Judge Edmond E. Chang
WORKERS LOCAL 38 HEALTH AND)	
WELFARE FUND, INTERNATIONAL)	
UNION OF OPERATING ENGINEERS)	
LOCAL 295-295C WELFARE FUND, and)	
STEAMFITTERS FUND LOCAL 439, On)	
Behalf of Themselves and All Others Similarly)	
Situated,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
WALGREEN CO.,)	
)	
Defendant.)	
_____)	

SUPPLEMENTAL JOINT DECLARATION OF JOSEPH P. GUGLIELMO
AND ARTHUR L. SHINGLER IN FURTHER SUPPORT OF APPLICATION
FOR AWARD OF ATTORNEYS' FEES AND EXPENSES

We, JOSEPH P. GUGLIELMO and ARTHUR L. SHINGLER, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I, Joseph P. Guglielmo, am a partner at the law firm of Scott+Scott Attorneys at Law LLP (“Scott+Scott”). I am an attorney duly licensed to practice before all of the courts of the State of New York, the Commonwealth of Massachusetts, and the District of Columbia. I am also admitted to practice before this Court.

2. I, Arthur L. Shingler, am a partner at the law firm of Robbins Geller Rudman & Dowd LLP (“Robbins Geller”). I am an attorney duly licensed to practice before all of the courts of the State of California. I am also admitted to practice *pro hac vice* before this Court.

3. Scott+Scott and Robbins Geller are Co-Lead Class Counsel for Plaintiffs Cynthia Russo, Lisa Bullard, and Richard Gonzales (the “Individual Plaintiffs”), and International Brotherhood of Electrical Workers Local 38 Health and Welfare Fund, International Union of Operating Engineers Local 295-295c Welfare Fund, and Steamfitters Fund Local 439 (the “Fund Plaintiffs,” and with the Individual Plaintiffs, “Class Plaintiffs”) in this Action.

4. We make this supplemental declaration in further support of Plaintiffs’ Motion for Award of Attorney Fees and Expenses, and Service Awards to Plaintiffs (the “Motion”) based on facts within our personal knowledge and if called as witnesses, could and would competently testify thereto.

5. Since the March 4, 2025 filing of the Motion, Class Counsel have continued to work for the benefit of the Class. Such work has included: communicating with Plaintiffs regarding Settlement-related issues and their claims; communicating with Settlement Class Members concerning claims filing and related questions; liaising with the Settlement Administrator concerning Settlement Class Member claims, objections, opt-out requests and related Settlement process issues; assisting with the filing of claims; overseeing the claims

administration process; and responding to the Blues' and HCSC's effort to opt-out over 24,000 TPPs *en masse*, which places the Settlement itself at risk.

6. Previously, Class Counsel submitted time reports included with firm declarations from each of Plaintiffs' Counsel that appeared on behalf of Plaintiffs and performed work in this action on behalf of the Class from inception through December 31, 2024. *See* ECF Nos. 702-1 to 702-9. Since that time, Class Counsel have continued to perform substantial work on the Class's behalf as described above and as set forth below, respectively, for each of our firms. The information in this declaration regarding each firm's respective time and expenses is taken from time and expense reports and supporting documentation prepared and/or maintained by our firms in the ordinary course of business. Each of us, respectively, are partners at our firms who, on behalf of our firms, oversaw and/or conducted the day-to-day activities in this Litigation and reviewed these reports (and backup documentation where necessary or appropriate) in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries as well as the necessity for, and reasonableness of, the time and expenses committed to the Litigation. As a result of this review, reductions were made to both time and expenses in the exercise of billing judgment. Notably, we have not requested Plaintiffs' Counsel to perform additional work since their submission of their respective firm declarations. Thus, the hours, lodestar, and expenses submitted by the additional Plaintiffs' counsel remains as stated in the Joint Declaration. *See* ECF No. 702 at ¶ 33.

7. Based on this review and the adjustments made, each of us believes that the time reflected in our respective firm's lodestar calculation and the expenses for which payment is sought herein are reasonable and were necessary for the effective and efficient prosecution and resolution of the Litigation.

8. After the reductions referred to above, the number of hours spent on the Litigation by Scott+Scott from February 25, 2025 through July 15, 2025 is 399.6. A breakdown of the lodestar is provided in the attached Exhibit A. The lodestar amount for attorney/paraprofessional time based on Scott+Scott's current rates is \$424,867.00. The hourly rates shown in Exhibit A are Scott+Scott's current rates in contingent cases set by Scott+Scott for each individual. These hourly rates are consistent with hourly rates submitted by Scott+Scott to state and federal courts in other consumer class action litigation. Scott+Scott's rates are set based on periodic analysis of rates charged by firms performing comparable work both on the plaintiff and defense side.

9. Scott+Scott has also incurred additional expenses and charges in connection with the prosecution of the Litigation from February 25, 2025 through the date of this Declaration in the amount of \$4,439.22. This amount is in addition to those expenses previously identified from inception to February 24, 2025 in the Declaration of Daryl F. Scott Filed on Behalf of Scott+Scott Attorneys at Law LLP in Support of Motion for Award of Attorneys' Fees and Expenses. ECF No. 702-1. These additional expenses and charges are summarized by category in the attached Exhibit B. The expenses sought by Scott+Scott include those for: transportation, hotels, and meals; photocopies; and online legal and financial research.

10. The expenses pertaining to this case are reflected in the books and records of Scott+Scott. These books and records are prepared from receipts, expense vouchers, check records, and other documents and are an accurate record of the expenses.

11. After the reductions referred to above, the number of hours spent on the Litigation by Robbins Geller from December 31, 2024 through July 15, 2025 is 356.70. A breakdown of the lodestar is provided in the attached Exhibit C. The lodestar amount for attorney/paraprofessional time based on Robbins Geller's current rates is \$277,319.00. The hourly rates shown in Exhibit B are Robbins Geller's current rates in contingent cases set by Robbins Geller for each individual.

These hourly rates are consistent with hourly rates submitted by Robbins Geller to state and federal courts in other class action litigation. Robbins Geller's rates are set based on periodic analysis of rates charged by firms performing comparable work both on the plaintiff and defense side.

12. Robbins Geller has also incurred additional expenses and charges in connection with the prosecution of the Litigation from December 31, 2024 through the date of this Declaration in amount of \$36,176.57. This amount is in addition to those expenses previously identified from inception to December 31, 2024 in Declaration of Arthur L. Shingler Filed on Behalf of Robbins Geller Rudman & Dowd LLP in Support of Application for Award of Attorneys' Fees and Expenses. ECF No. 702-2. These additional expenses and charges are summarized by category in the attached Exhibit D. The expenses sought by Robbins Geller include those for: photocopies; online legal and financial research; and eDiscovery database hosting.

13. The expenses pertaining to this case are reflected in the books and records of Robbins Geller. These books and records are prepared from receipts, expense vouchers, check records, and other documents and are an accurate record of the expenses.

14. Therefore, with the inclusion of the additional time incurred by Class Counsel from December 31, 2024 through July 15, 2025, the total hours, lodestar and expenses submitted by all Plaintiffs' Counsel is:

FIRM NAME	HOURS	LODESTAR	EXPENSES
Scott+Scott Attorneys at Law LLP	19,631.20	\$16,903,399.50	\$931,856.37
Robbins Geller Rudman & Dowd LLP	12,335.25	\$8,724,673.00	\$1,266,623.14
Halunen Law LLC	941.00	\$629,649.00	\$14,760.60
Levin Sedran & Berman LLP	2,075.10	\$1,238,515.00	\$185,740.25
Tusa P.C.	494.50	\$420,325.00	\$26,029.20
Lemmon Law Firm LLC	388.25	\$359,131.25	\$13,810.91
The Cates Law Firm LLC	116.05	\$78,333.75	\$2,182.91
Milberg Coleman Bryson Phillips Grossman, PLLC	308.30	\$181,207.60	\$13,673.51

FIRM NAME	HOURS	LODESTAR	EXPENSES
Robbins LLP	2,041.00	\$780,782.50	\$43,168.82
Total:	38,330.65	\$29,316,016.60	\$2,497,845.71

15. Also attached are true and correct copies of the following exhibits:

Exhibit E: Excerpts from Final Settlement Approval Hearing Transcript in *In re Am. Realty Cap. Props., Inc. Litig.*, No. 15-MC-40 (AKH) (S.D.N.Y. Jan. 23, 2019);

Exhibit F: Excerpts from Final Settlement Approval Hearing Transcript in *Kaess v. Deutsche Bank AG*, No. 09-cv-01714 (GHW) (RWL) (S.D.N.Y. June 11, 2020);

We declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 6th day of August, 2025, at New York, New York.

s/ Joseph P. Guglielmo
JOSEPH P. GUGLIELMO

Executed this 6th day of August, 2025, at San Diego, California.

s/ Arthur L. Shingler
ARTHUR L. SHINGLER

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically through the Court's Electronic Case Filing System, which will then send a notification of such filing to the registered participants as identified on the Notice of Electronic Filing.

/s/ Arthur L. Shingler III
Arthur L. Shingler III

EXHIBIT A

EXHIBIT A**Scott+Scott Lodestar by Timekeeper – February 25, 2025 – July 15, 2025**

PROFESSIONAL	STATUS	CURRENT HOURLY RATE	TOTAL HOURS	TOTAL LODESTAR AT CURRENT HOURLY RATES
Joe Guglielmo	P	\$1,420.00	124.6	\$176,932.00
Erin Comite	P	\$1,175.00	144.6	\$169,905.00
Donald Broggi	P	\$1,420.00	0.3	\$426.00
Amanda Rolon	A	\$575.00	53.3	\$30,647.50
Ethan Binder	A	\$575.00	7.0	\$4,025.00
Kristen Anderson	OC	\$1,100.00	18.9	\$20,790.00
Ellen Dewan	PL	\$435.00	8.5	\$3,697.50
Mateo Salgado	PL	\$435.00	16.6	\$7,221.00
Kim Jager	PL	\$435.00	20.5	\$8,917.50
Tara Shayler	PL	\$435.00	5.3	\$2,305.50
TOTAL			399.6	\$424,867.00

EXHIBIT B

EXHIBIT B**Scott+Scott Expenses – February 25, 2025 – July 15, 2025**

CATEGORY	AMOUNT
Filing, Witness and Other Fees	-
Transportation, Hotels & Meals	\$2,373.50
Telephone, Facsimile	-
Postage	-
Messenger, Overnight Delivery	-
Court Hearing Transcripts and Deposition Reporting, Transcripts and Videography	-
Experts/Consultants/Investigators	-
Photocopies	\$13.25
Online Legal and Financial Research	\$2,052.47
Litigation Fund Contribution	-
Service of Process	-
Miscellaneous - Online Litigation Repository	-
TOTAL	\$4,439.22

EXHIBIT C

EXHIBIT C

Cynthia Russo, et al. v. Walgreen Co., Case No. 1:17-cv-02246
 Robbins Geller Rudman & Dowd LLP
 January 1, 2025 through July 15, 2025

NAME		HOURS	RATE	LODESTAR
Alba, Mario	(P)	3.50	1020	\$3,570.00
Geller, Paul J.	(P)	0.30	1480	444.00
Mitchell, David W.	(P)	87.00	1075	93,525.00
Myers, Danielle S.	(P)	22.70	1050	23,835.00
Shingler, Arthur L.	(P)	123.20	1140	140,448.00
Paralegals	(PL)	4.70	410-435	1,939.50
Document Clerks		2.00	165	330.00
Client/Class Member Relations		112.40	115	12,926.00
Litigation Support	(LS)	0.90	335	301.50
TOTAL		356.70		\$277,319.00

(P) Partner
 (A) Associate
 (SA) Staff Attorney
 (PL) Paralegal
 (LS) Litigation Support

EXHIBIT D

EXHIBIT D

Cynthia Russo, et al. v. Walgreen Co., Case No. 1:17-cv-02246
Robbins Geller Rudman & Dowd LLP
January 1, 2025 through July 15, 2025

<i>CATEGORY</i>	<i>AMOUNT</i>
Photocopies	\$46.40
Online Legal and Financial Research	\$214.61
eDiscovery Database Hosting	\$35,915.56
<i>TOTAL</i>	<i>\$36,176.57</i>

EXHIBIT E

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 In Re:

15-MC-40 (AKH)

4 AMERICAN REALTY CAPITAL
5 PROPERTIES, INC. LITIGATION,

6 Fairness Hearing

7 -----x
8 New York, N.Y.
9 January 23, 2019
10 10:15 a.m.

11 Before:

12 HON. ALVIN K. HELLERSTEIN

13 District Judge

14 APPEARANCES

15 ROBBINS GELLER RUDMAN & DOWD LLP
Attorneys for TIAA and Class Plaintiffs
16 BY: DEBRA J. WYMAN, ESQ.
MICHAEL J. DOWD, ESQ.
17 ROBERT M. ROTHMAN, ESQ.
ELLEN GUSIKOFF-STEWART, ESQ.

18 GLANCY PRONGAY & MURRAY LLP
Attorneys for the Witchko Derivative
19 BY: MATTHEW M. HOUSTON, ESQ.
20

21 MILBANK LLP
Attorneys for Defendant ARCP
22 BY: SCOTT A. EDELMAN, ESQ.
23
24
25

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1 about the SEC regulatory framework as well.

2 THE COURT: No, I did not.

3 MR. DOWD: I think you did, your Honor.

4 And, you know, your Honor, a lot of Mr. Pitt's bill is
5 because the defendant showed up with between 15 and 20 lawyers
6 in Washington, D.C., to take his deposition for two days. At
7 the end of the first day, I walked out, because I said, this is
8 a waste of time. And then defendants filed a letter brief
9 complaining that I had walked out. And we had to go back for a
10 second day.

11 I didn't want to have Harvey Pitt get deposed twice to
12 talk about stuff that, you know, frankly I thought was not that
13 remarkable.

14 THE COURT: You have almost \$50,000 paid to John
15 Barron and \$384,000 to the firm that Barron went to.

16 MR. DOWD: Correct. Barron.

17 THE COURT: Barron.

18 MR. DOWD: We could have had several experts on
19 accounting. And we found a REIT auditor and accountant who was
20 going to testify to both, as to the company and as to Grant
21 Thornton. I think his expenses are very reasonable.

22 THE COURT: I find your lodestar reasonable, the rates
23 appropriate and, in relationship to the work that you did,
24 reasonable. I'll go into lodestar a bit later.

25 The next firm I want to hear from is Lowey Dannenberg.

EXHIBIT F

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NORBERT G. KAESS, et al,

Plaintiffs,

v.

09 CV 1714 (GHW) (RWL)
Telephone Conference

DEUTSCHE BANK AG, et al.,

Defendants.

New York, N.Y.
June 11, 2020
4:30 p.m.

Before:

HON. GREGORY H. WOODS,

District Judge

APPEARANCES

GLANCY PRONGAY & MURRAY LLP
Attorneys for Plaintiffs

BY: BRIAN P. MURRAY

-and-

ROBBINS GELLER RUDMAN & DOWD LLP

BY: THEODORE J. PINTAR

ERIC NIEHAUS

KEVIN LAVELLE

CAHILL GORDON & REINDEL LLP

Attorneys for Deutsche Bank Defendants

BY: DAVID JANUSZEWSKI

SAMUEL MANN

SKADDEN ARPS SLATE MEAGHER & FLOM LLP

Attorneys for Underwriter Defendants

BY: WILLIAM J. O'BRIEN

ANDREW BEATTY

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1 expended over 26,000 hours in total in this case, resulting in
2 a total lodestar of \$16,069,646. Niehaus fee declaration
3 paragraph 4, Exhibit A; Murphy fee declaration, Exhibit A.
4 Robbins Geller expended 17,356.85 hours with a lodestar of
5 \$12,021,477, Glancy Prongay & Murray LLP expended 8,097.8 hours
6 with a lodestar of \$3,639,826.50, the Frank Murray LLP expended
7 562.2 hours with a lodestar of \$355,902.50. Id. Plaintiffs'
8 counsel submitted declarations and time reports in support of
9 their motion for attorneys' fees. Id. Counsel submitted a
10 summary time records detailing the billable rate and hours
11 worked by each attorney and professional support staff in this
12 case. I find that these billable rates based on the
13 timekeeper's title, specific years of experience, and market
14 rates for similar professionals in their fields nationwide and
15 in New York, where Robbins Geller LLP is based, to be
16 reasonable in this context.

17 Based on plaintiffs' counsel's requested
18 fee - one-third of the settlement, or by the Court's
19 calculation, \$6,166,666.67 - the lodestar yields a negative
20 "cross-check" multiplier of about 0.38; therefore, the fee is
21 well below the typically awarded multipliers in this circuit.
22 "Courts regularly award lodestar multipliers from 2 to 6 times
23 lodestar in this circuit." Fleisher v. Phoenix Life Insurance
24 Company, 2015 WL 10847814, at *18 (S.D.N.Y. Sept. 9,
25 2020) (quotation omitted) (collecting cases). Thus, the lodestar