

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

PHT HOLDING I LLC, and ALICE
CURTIS, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

RELIASTAR LIFE INSURANCE
COMPANY,

Defendant.

Civ. No.: 18-cv-2863 DWF/TNL

**[PROPOSED] ORDER AWARDING FEES, EXPENSES,
AND SERVICE AWARDS**

WHEREAS, Plaintiffs PHT Holding I LLC and Alice Curtis, on behalf of themselves and the certified Class in this Action, entered into a Settlement Agreement with Defendant ReliaStar Life Insurance Company (“RLIC” or “Defendant”);

WHEREAS, on July 31, 2023, the Court entered its Order Preliminarily Approving Class Action Settlement (“Preliminary Approval Order”) (Dkt. 266). Among other things, the Preliminary Approval Order authorized Class Counsel to disseminate notice of the Settlement, the fairness hearing, and related matters to the Class. Notice was provided to the Class pursuant to the Preliminary Approval Order, and the Court held a fairness hearing on November 16, 2023, at 12:00 p.m.;

WHEREAS, Class Counsel filed a fee application, seeking attorneys’ fees, expenses and a service award;

WHEREAS, this application is uncontested by Defendant;

NOW THEREFORE, having considered Class Counsel’s Motion for Attorneys’ Fees, Reimbursement of Litigation Expenses, and Service Awards, the supporting declarations, any oral argument presented at the fairness hearing, and the complete records and files in this matter,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. The capitalized terms used herein shall have the meanings set forth in the Settlement Agreement.

2. Class Counsel Susman Godfrey shall receive attorneys’ fees in the amount of \$15,919,029.67, which is 33 1/3% of the total value of the benefits conferred by the Settlement, plus a *pro-rata* share of the interest earned on the Settlement Fund at the same

rate and for the same period as earned by the Settlement Fund, to be paid out of the Settlement Fund.

3. Class Counsel shall be reimbursed \$1,268,065.19 in costs and expenses reasonably incurred in the presentation and settlement of this litigation, to be paid out of the Settlement Fund created by the Settlement.

4. The Settlement Administration Expenses through August 31, 2023, are \$177,179.45. Under the terms of the Settlement Agreement, those costs are payable out of the Settlement Fund as they become due, subject to the terms of the Settlement.

5. The Court shall entertain any supplemental application for reimbursement of expenses incurred by Class Counsel on behalf of the Settlement Class.

6. Class Counsel may in its sole discretion allocate and distribute the fees and expense it receives pursuant to this Order among other counsel.

7. Plaintiffs PHT Holding I LLC and Alice Curtis shall each be paid a service award of \$50,000, payable out of the Settlement Fund.

8. This Order shall become effective immediately.

ENTERED this _____ day of _____, 2023.

DONOVAN W. FRANK
United States District Judge