

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

DENIS MARC AUDET, MICHAEL PFEIFFER, DEAN ALLEN SHINNERS, and JASON VARGAS, Individually and on Behalf of All Others Similarly Situated,  Plaintiffs,  vs.  STUART A. FRASER, GAW MINERS, LLC, and ZENMINER, LLC (d/b/a ZEN CLOUD),  Defendants.	Case 3:16-cv-00940  Hon. Michael P. Shea Courtroom 2  ECF Case  <u>CLASS ACTION</u>  May 10, 2023
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**ORDER AWARDING FEES, EXPENSES, AND INCENTIVE AWARDS**

WHEREAS, Plaintiffs Dean Allen Shinners, Michael Pfeiffer, and Denis Marc Audet, on behalf of themselves and the proposed Settlement Class, entered into a Settlement with Defendant Stuart Fraser;

WHEREAS, on March 1, 2023, the Court entered its Amended Preliminary Approval Order granting preliminary approval of the proposed settlement (“Amended Preliminary Approval Order”) (ECF No. 383). Among other things, the Amended Preliminary Approval Order authorized Class Plaintiffs to disseminate notice of the Settlement, the fairness hearing, and related matters to the Class. Notice was provided to the Class pursuant to the Amended Preliminary Approval Order, and the Court held a fairness hearing on June 30, 2023, at 2:30pm;

WHEREAS, Class Counsel filed a fee application, seeking counsel fees, expenses and incentive awards;

Having considered Class Counsel's Motion for Attorneys' Fees, Reimbursement of Expenses, and Incentive Awards for the Named Plaintiffs, supporting declarations, oral argument presented at the fairness hearing, and the complete records and files in this matter,

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

1. The capitalized terms used herein shall have the meanings set forth in the Settlement Agreement (ECF No. 383-4).

2. Class Counsel of Susman Godfrey L.L.P. and Izard, Kindall & Raabe LLP shall receive attorneys' fees equal to \$980,000, to be paid out of the Settlement Fund created by the Settlement.

3. Class Counsel shall be reimbursed \$957,283.40 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. Of that amount, Susman Godfrey shall be reimbursed \$954,896.69 in costs and expenses and Izard, Kindall & Raabe shall be reimbursed \$2,386.71.

4. The Settlement Administration Expenses through April 30, 2023 are \$65,400.34. Under the terms of the Settlement Agreement, those costs are payable out of the Settlement Fund. The Settlement Administrator shall also be reimbursed \$57,153.17 in unreimbursed class notice expenses. Any additional Settlement Administration Expenses may be paid out of the Settlement Fund in accordance with the terms of the Settlement Agreement.

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

6. Dean Allen Shinnors shall be paid an incentive award equal to \$50,000, payable out of the Settlement Fund.

7. Michael Pfeiffer shall be paid an incentive award equal to \$25,000, payable out of the Settlement Fund.

8. Denis Marc Audet shall be paid an incentive award equal to \$25,000, payable out of the Settlement Fund.

9. This Order shall become effective immediately.

ENTERED this 30th day of June, 2023.

/s/ Michael P. Shea  
Michael P. Shea  
United States District Judge