

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

GEORGE NELSON, on behalf of himself	)	
and all others similarly situated,	)	
	)	Civil Action No.: 1:18-cv-07400
Plaintiff,	)	Honorable Sara L. Ellis
	)	
v.	)	
	)	
	)	
ROADRUNNER TRANSPORTATION	)	
SYSTEMS, INC.,	)	
	)	
Defendant.	)	

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**DECLARATION OF JOHN A. YANCHUNIS IN SUPPORT OF  
REPRESENTATIVE PLAINTIFF’S MOTION AND  
SUPPORTING MEMORANDUM OF LAW FOR APPROVAL OF  
ATTORNEYS’ FEES, COSTS AND EXPENSES, AND SERVICE AWARD**

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I, John A. Yanchunis, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I have been licensed to practice law in the state of Florida since 1981.
2. A description of my firm, its professional staff dedicated to consumer class litigation and my experience in the area of class action litigation and consumer privacy was described in detail in a declaration previously submitted to the Court and will not be repeated here.
3. I was the principal lawyer in charge of all aspects of the litigation and I worked collaboratively with my co-counsel in the case to ensure that Plaintiff and the class which he sought to represent was zealously represented, while also ensuring efficiency and reducing duplicative effort.
4. The hourly rates of the professionals in my firm, including my own, reflect experience and accomplishments in the area of class litigation generally, and data breach and

privacy litigation specifically. The rate of \$950 per hour which I charge for my time is commensurate with hourly rates charged by my contemporaries around the country, including those rates charged by lawyers with my level of experience who practice in the area of class litigation across the nation. Prior to submitting the motion for attorneys' fees, costs and expenses, I compared and confirmed the hourly rate of the professionals in my firm with lawyers at other law firms whose practice is focused on class litigation. Moreover, as I have been retained as an expert on attorneys' fees in other class cases, and as part of my legal education, I routinely survey hourly rates charged by lawyers around the country in published surveys, and review continuously as part of my continuing education, opinions rendered by courts on attorneys' fee requests. Again, based upon my research, our rates are within the range of lawyers with our levels of experience.

5. The lawyers and other professional staff of my firm maintain and record their respective time and the specific services they perform contemporaneously in a computerized system. Based upon the records in this system, my firm's lodestar is in excess of 235 hours as of July 17, 2020, amounts to \$197,311.60 in lodestar. Additional time will be spent to prepare for and attend the fairness hearing and obtain final approval, defend any appeals taken from the final judgment approving settlement, and ensure that the distribution of settlement proceeds to class members is done in a timely manner in accordance with the terms of the settlement.

6. I assert that the attorneys' fees sought in the motion for attorneys' fee is reasonable and seeks fair and reasonable compensation for undertaking this case on a contingency basis where there was a real risk that absent a successful outcome, we would receive nothing for our labor ,and for obtaining the relief for Plaintiffs and the class. Throughout this action, we have been challenged by highly experienced and skilled counsel, who focuses on privacy litigation , and who deployed very substantial resources on Defendant's behalf.

7. The chart below reflects the amount of time spent by me and members of my firm in the prosecution of this case:

<b>Name</b>	<b>Title</b>	<b>Hourly Rate</b>	<b>Time Spent</b>	<b>Total Billed</b>
John A. Yanchunis	Partner	\$950	123.7	\$117,420.00
Jean Sutton Martin	Partner	\$894	3.0	\$2,682.00
Jonathan Cohen	Associate	\$742	23.3	\$17,288.60
Marcio W. Valladares	Associate	\$864	59	\$50,976.00
Patrick A. Barthle	Associate	\$658	7.7	\$5,066.60
Lorraine Carreiro	Paralegal	\$202	9.8	\$1,979.60
Jennifer Cabezas	Paralegal	\$202	9.4	\$1,898.80
<b>Total</b>			<b>235.8</b>	<b>\$197,311.60</b>

8. A breakdown of my firm's costs and expenses, again pulled from a computerized database, are reflected below. It is my opinion that these costs were necessarily expended in the representation of plaintiff and the class to advance the claims pressed in the litigation and to obtain the settlement achieved in this case .

<b>Description</b>	<b>Subtotals</b>	<b>Totals Per Category</b>
<b>Court Fees</b>		<b>\$150.00</b>
Filing Fee – Pro Hac Vice Application	\$150.00	
<b>Professional Services</b>		<b>\$5,495.50</b>
Resolute Systems, LLC	\$5,490.00	
PACER	\$5.50	
<b>Copies &amp; Printing</b>		<b>\$43.75</b>
Black and White Printing / Copies	\$43.75	
<b>Shipping, Long Distance &amp; Printing</b>		<b>\$1.00</b>
Postage	\$1.00	

<b>Travel Expenses</b>		<b>\$3,997.59</b>
John Yanchunis to attend two mediation sessions in the case	\$2,990.84	
Jonathan Cohen to attend the first mediation session	\$1,006.75	
	<b>Total</b>	<b>\$9,687.84</b>

9. Additional costs and expenses will be incurred before our work is done in this case, as is true of the additional services which we will provide to the class.

10. From the commencement of this case through today, David Nelson, the individual who filed this case and served as the class representative has at all times been in control of and apprised about the course of this litigation. Mr. Nelson reviewed and approved the amended complaint filed in this case, kept up with the ongoing developments of the case, was subject to the time demands of gathering and reviewing information to assist us in advancing the claims and understanding the facts underlying the claims, and also was involved in and approved the settlement terms reached in this case. The subject of a service award was not raised nor negotiated until after the parties had reached a settlement of the underlying claims, and the class representative's consent and agreement to the terms of the settlement was not, nor is it in any way, conditioned on his receipt of a service award. I support and request the reasonable service award of \$2,500 for the class representative.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 17<sup>th</sup> of July, 2020 at Tampa, Florida.

By: /s John A. Yanchunis  
John A. Yanchunis, Esq.