

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

PAUL T. EDWARDS, GERRY
WENDROVSKY, SANDRA
DESROSIERS and LINDA SOFFRON,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

NORTH AMERICAN POWER & GAS, LLC,

Defendant.

Case No: 3:14-cv-1714 (VAB)

**PLAINTIFFS' MOTIONS FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT,
CERTIFICATION OF SETTLEMENT CLASS, AND APPROVAL OF AWARD OF
ATTORNEYS' FEES AND EXPENSES AND PLAINTIFF SERVICE AWARDS**

Plaintiffs Paul Edwards, Gerry Wendrovsky, Sandra Desrosiers, Linda Soffron, John Arcaro, Michael Tully, David Fritz, and Peggy Zahn (collectively, "Plaintiffs"), individually and on behalf of the Settlement Class,¹ respectfully move that the Court:

- (1) Certify the Settlement Class;
- (2) Appoint Plaintiffs as Representatives of the Settlement Class;
- (3) Appoint Robert Izard, Craig Raabe and Seth Klein of Izard, Kindall & Raabe, LLP ("IKR"); D. Greg Blankinship and Todd S. Garber of Finkelstein, Blankinship, Frei-Pearson & Garber, LLP ("FBFG"), Matthew R. Mendelsohn of Mazie Slater Katz & Freeman, LLC ("MSKF"), and Matthew D. Schelkopf of McCune Wright Arevalo, LLP ("MWA") as Class Counsel for the Settlement Class; and

¹ All capitalized terms have the meaning set out in the Settlement Agreement (ECF No. 116-1).

(4) Approve the Class Action Settlement and the terms thereof as set forth in the Settlement Agreement.

Plaintiffs also respectfully move that the Court award attorneys' fees and expenses and Plaintiff service awards as follows:²

- (a) Award attorneys' fees to Class Counsel in the amount of \$3,154,805.12 (constituting 16% of the total value of the Settlement);
- (b) Award Class Counsel the additional amount of \$474,194.88 for expenses reasonably and necessarily incurred in the prosecution of the litigation;
- (c) Award Plaintiffs \$5,000 each for their time and effort on behalf of the Settlement Class.

In support of this Motion, Plaintiffs have filed a Memorandum of Law and separate supporting declarations of Class Counsel Robert A. Izard, D. Greg Blankinship, Richard Gordon, Matthew R. Mendelsohn, and Matthew D. Schelkopf, as well as the Declaration of Joseph F. Mahan of the Heffler Claims Group, the Settlement Administrator appointed by the Court in this case.

Following the June 26, 2018 deadline for claims, requests for exclusion and objections, Class Counsel will also file a pdf of a form of [Proposed] Order (and will submit a Word copy to Chambers upon request of the Court).

Dated: June 11, 2018

Plaintiffs,

By: /s/ Robert A. Izard

Robert A. Izard

Craig A. Raabe

Seth R. Klein

² Plaintiffs' request for approval of the Settlement is separate from, and not dependent upon, approval of Plaintiffs' request for an award of attorneys' fees and expenses and service awards. See Settlement Agreement at ¶ 7.2.

Izard Kindall & Raabe, LLP

29 South Main St., St. 305
West Hartford, CT 06107

D. Greg Blankinship

Todd S. Garber

Antonino B. Roman

**Finkelstein, Blankinship, Frei-Pearson &
Garber, LLP**

445 Hamilton Avenue, Suite 605
White Plains, New York 10601

Matthew R. Mendelsohn

Mazie Slater Katz & Freeman, LLC

103 Eisenhower Parkway

Roseland, New Jersey 07068

Matthew D. Schelkopf

McCune Wright Arevalo LLP

555 Lancaster Avenue

Berwyn, PA 19312

CERTIFICATE OF SERVICE

I, Seth R. Klein, hereby certify that on this 11th day of June, 2018, the foregoing and the supporting Memorandum and all supporting Declarations were filed electronically. Notice of these filings will be sent by email to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this document through the court's CM/ECF system.

/s/ Seth R. Klein
Seth R. Klein