

THE HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

KIMBERLY BOTTOMS, on behalf of herself  
and all others similarly situated,

Plaintiff,

v.

BLOCK, INC. (F/K/A, SQUARE, INC.)  
(D/B/A, CASH APP),

Defendant.

NO. 2:23-cv-01969-JHC

**DECLARATION OF JENNIFER  
RUST MURRAY IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
ATTORNEYS' FEES, COSTS, AND  
SERVICE AWARD**

I, Jennifer Rust Murray, declare as follows:

1. I am a member of the law firm of Terrell Marshall Law Group PLLC and co-counsel of record for Plaintiffs in this matter. I am admitted to practice before this Court and am a member in good standing of the bar of the states of Washington and Oregon. I respectfully submit this declaration in support of Plaintiff's Motion for Attorneys' Fees, Costs, and Service Award. Except as otherwise noted, I have personal knowledge of the facts set forth in this declaration and could testify competently to them if called upon to do so.

**A. Terrell Marshall's Work on this Case.**

2. Terrell Marshall was involved in every aspect of this case, in addition to serving as local counsel with responsibility for filings, communicating with the Court, and remaining responsible for the overall litigation.

1           3.       Terrell Marshall attorneys and staff worked closely with the other legal team  
2 members on case strategy and management. Among other things, Terrell Marshall brought its  
3 experience with class actions, CEMA cases, and local practice.

4           4.       The Court limited the scope of discovery to Plaintiff's individual claims. The  
5 parties initially disagreed about the scope of that discovery, but were able to resolve their  
6 disputes without Court involvement by conferring and exchanging detailed correspondence. In  
7 the end, the parties exchanged substantial information relevant to both the individual and class  
8 claims. That information proved essential to resolving the case on a class wide basis.

9           5.       During discovery, Block responded to two sets of written discovery requests  
10 propounded by Plaintiff and provided several supplemental responses. The parties exchanged  
11 written correspondence and met and conferred regarding search terms. Block produced  
12 documents based on the results of those searches, ultimately producing several thousands of  
13 pages of documents. Topics of the discovery sought by Plaintiff included the data points Block  
14 tracks and maintains regarding senders and recipients of Invite Friends texts; whether any  
15 persons who received Invite Friends texts consented to receive such texts in advance; Block's  
16 internal communications regarding consent; the total number of cell phone numbers with  
17 Washington area codes to which Invite Friends texts were initiated during the class period; the  
18 number of Invite Friends texts sent to phone numbers with Washington area codes during the  
19 class period; consumer complaints to Block about receiving an Invite Friends text; Block's  
20 public statements and advertising regarding the Invite Friends referral program; and data  
21 concerning the Invite Friends texts sent to Ms. Bottoms.

22           6.       Ms. Bottoms responded to written discovery propounded by Block, including  
23 supplemental responses. Ms. Bottoms also searched for documents using search terms the parties  
24 negotiated and produced responsive documents. Topics of the discovery sought by Block  
25 included mentions of Cash App in Ms. Bottoms's social media, emails, and internet browsing  
26 history; the Invite Friends text messages she received; her communications with the person who  
27 sent her Invite Friends texts and how they were acquainted; whether Ms. Bottoms ever used or

1 downloaded Cash App; her cell phone accounts and activity; and damages. Block also deposed  
2 Ms. Bottoms.

3 7. The parties also engaged in third-party discovery. Block deposed the individual  
4 who sent Ms. Bottoms the Invite Friends referral text messages. Block also issued subpoenas to  
5 several cell phone providers for data and documents regarding Ms. Bottoms's accounts and  
6 phone activity. Ms. Bottoms subpoenaed records from her cell phone provider.

7 8. Terrell Marshall played a key role in discovery, including overall strategy and  
8 implementation of that strategy. We took the lead on or significantly contributed to drafting  
9 discovery requests to Block and subpoenas to third parties, conferring with Block's counsel,  
10 drafting discovery correspondence, reviewing documents, and preparing for depositions.

11 9. Terrell Marshall also significantly contributed to Plaintiff's discovery responses,  
12 the strategy involved in responding to Block's discovery requests, and prepared for and defended  
13 Plaintiff's deposition.

14 10. Terrell Marshall attorneys took the lead on or significantly contributed to every  
15 brief filed in this case.

16 11. On March 18, 2025, the parties attended a full-day mediation with Jill R. Sperber  
17 of Judicate West. The parties exchanged detailed mediation statements beforehand. While  
18 settlement was not reached at mediation, the parties made significant progress toward resolution  
19 and continued subsequent arms-length negotiations.

20 12. On April 11, 2025, the parties executed a Settlement Terms Sheet. The parties  
21 spent two months negotiating the details of the formalized Settlement Agreement, including  
22 conducting a competitive bidding process to select the Settlement Administrator. The parties  
23 executed the final Settlement Agreement on June 27, 2025.

24 13. Terrell Marshall significantly contributed to implementation of the settlement,  
25 including working with the Settlement Administrator and defense counsel on logistics of the  
26 notice and claims process and finalizing the Email and Postcard Notice forms, Settlement  
27 Website, and digital Notices. On August 28, EAG commenced sending the Email Notice to

1 Settlement Class Members for whom email addresses were available and activated the  
 2 Settlement Website and online Claim Form submission portal. EAG also sent Postcard Notices to  
 3 Settlement Class Members whose Email Notices were undeliverable or for whom no email  
 4 address was available.

5 14. Class Counsel has fielded dozens of phone calls from Settlement Class Members  
 6 with questions about the settlement. If the Court grants final approval of the settlement, we will  
 7 continue this work until the settlement has been fully implemented, including reporting to the  
 8 Court.

9 **B. Claimant awards, attorneys' fees and costs, and service award.**

10 15. I estimate that the total amount available from the Settlement Fund to pay  
 11 claimants will be \$8,704,366.64. This amount assumes that the Court awards Class Counsel  
 12 twenty-five percent of the Settlement Fund (\$3,125,000) in attorneys' fees, \$41,133.36 as  
 13 reimbursement for out-of-pocket costs, a \$10,000 service award for Ms. Bottoms, and that  
 14 settlement administration costs are not-to-exceed \$619,500.

15 16. I understand Defendant estimates its data shows its users sent "Invite Friends"  
 16 referral program text messages to approximately 1,975,187 unique phone numbers with  
 17 Washington area codes. Even if there are individuals who own multiple numbers on this list, the  
 18 proposed Settlement Class will number in the hundreds of thousands.

19 17. It is notoriously difficult to estimate the number of consumers who will submit  
 20 claims. In my experience settling numerous TCPA cases, claims rate percentages in  
 21 TCPA/CEMA cases have ranged from less than 1% to approximately 35%. In this case, I believe  
 22 that it is fair to estimate that between 3% and 5% of Settlement Class Members will submit  
 23 claims. If 3 to 5% of Settlement Class Members submit claims and the requested attorneys' fees,  
 24 costs, service award, and administration costs are approved, each class member will receive  
 25 between \$88 to \$147. This is of course only an estimate.

26 18. Ms. Bottoms has been actively involved in every stage of this litigation for more  
 27 than one and a half years, communicating with her Counsel throughout. Ms. Bottoms actively

1 participated in discovery by responding to written requests and searching for and producing  
 2 hundreds of pages of documents from her personal email, social media accounts, and text  
 3 messages. Ms. Bottoms prepared for and sat for an in-office, full-day deposition and was willing  
 4 to testify at trial. Ms. Bottoms reviewed and approved the settlement agreement. Throughout the  
 5 litigation, Ms. Bottoms put the interests of the Settlement Class ahead of her own.

6 **C. Terrell Marshall's Experience.**

7 19. Terrell Marshall is a law firm in Seattle, Washington, that focuses on complex  
 8 civil and commercial litigation with an emphasis on consumer protection, product defect, civil  
 9 rights, and wage and hour cases. Terrell Marshall has been appointed lead or co-lead counsel  
 10 representing multi-state and nationwide classes in state and federal court in Washington and  
 11 throughout the United States. Since its founding in 2008, the attorneys at Terrell Marshall have  
 12 represented scores of classes, tried class actions in state and federal court, and obtained hundreds  
 13 of millions of dollars in monetary relief to workers, consumers, and other individuals.

14 20. I am a founding member of Terrell Marshall who practices complex litigation,  
 15 including the prosecution of consumer and wage and hour class actions. In 2005, I received my  
 16 J.D. from the University of Washington School of Law where I was a member of the Washington  
 17 Law Review. My law review article entitled "Proving Cause in Fact under Washington's  
 18 Consumer Protection Act: The Case for a Rebuttable Presumption of Reliance" won the Carkeek  
 19 prize for best submission by a student author. Before law school, I earned a Ph.D. in Philosophy  
 20 from Emory University. I have been an active member of the Washington State Bar Association  
 21 since my admission to the bar in 2005. I was admitted to the Oregon State Bar in 2010. I am  
 22 currently vice-president of the board of Washington's Unemployment Law Project and a  
 23 Washington State Association for Justice Eagle member. I regularly present at legal conferences  
 24 on consumer issues.

25 **D. Qualifications of other Terrell Marshall attorneys and senior paralegals.**

26 21. **Beth E. Terrell** is a founding member of Terrell Marshall. With almost thirty  
 27 years of experience, Ms. Terrell concentrates her practice in complex litigation, including the

1 prosecution of multi-plaintiff, collective, mass and class litigation and arbitration on behalf of  
 2 consumers and workers. Ms. Terrell has served as co-lead counsel on multi-state and nationwide  
 3 class actions, resulting in hundreds of millions of dollars in settlements for consumers and  
 4 workers. Ms. Terrell also represents individual employees with discrimination, sexual  
 5 harassment, trade secret and restrictive covenant claims. Ms. Terrell co-chairs PLI's Consumer  
 6 Financial Services Institute, is a past President of the Public Justice Foundation Board of  
 7 Directors, serves as Chair of both the Northwest Consumer Law Center and the Washington  
 8 Employment Lawyers Association, and is a fellow of the American College of Consumer  
 9 Financial Services Lawyers. In 2023, Ms. Terrell was awarded the National Consumer Law  
 10 Center's Vern Countryman Award, recognizing special contributions to consumer law. A  
 11 member of the State Bar of California and the Washington State Bar Association, Ms. Terrell  
 12 frequently presents on a wide variety of topics, including class actions, consumer protection,  
 13 legal ethics, gender equity, and electronic discovery.

14 22. **Amanda M. Steiner** became a member of Terrell Marshall in 2015. She practices  
 15 complex litigation, including the prosecution of consumer, defective product, wage and hour, and  
 16 civil rights class actions. Ms. Steiner received her J.D. from the UC Berkeley School of Law in  
 17 1997. Admitted in Washington, California, New York and Hawaii, she has authored briefs that  
 18 have resulted in numerous favorable decisions for plaintiffs in high-profile and complex  
 19 securities, antitrust, consumer and civil rights class action in federal and state courts throughout  
 20 the United States. Ms. Steiner was selected for inclusion in the annual Northern California  
 21 "Super Lawyers" list and was named to the Top 50 Women Lawyers of Northern California. She  
 22 is a Fellow of the American Bar Foundation.

23 23. **Blythe H. Chandler** joined Terrell Marshall in 2014 and became a member in  
 24 2018. Ms. Chandler practices complex litigation with a focus on prosecution of consumer class  
 25 actions. She has been appointed class counsel in cases challenging a wide range of unfair or  
 26 deceptive practices, including debt collection practices. In 2010, she received her J.D. from the  
 27 University of Washington School of Law with high honors, Order of the Coif. Ms. Chandler

served as Chief Articles Editor for the Washington Law Review. Before joining Terrell Marshall, Ms. Chandler served as a law clerk to the Honorable Betty B. Fletcher, Senior United States Circuit Judge for the Ninth Circuit Court of Appeals, and to the Honorable John C. Coughenour, Senior United States District Judge for the Western District of Washington. Ms. Chandler also served as a judicial extern to the Honorable Robert S. Lasnik, United States District Judge for the Western District of Washington. Ms. Chandler co-authored chapters of the Consumer Protection Deskbook published by the Washington State Association for Justice (WSAJ) and has spoken on topics including use of experts and personal jurisdiction in class actions. Ms. Chandler is a member of the Public Justice Foundation Board of Directors, is a Co-Coordinator of the Washington Employment Lawyers Association (WELA) Amicus Committee and currently co-chairs WSJA's Consumer Protection Section. She was named to the 2020 Rising Star List by Washington Super Lawyers.

24. **Eden Nordby** is an associate at Terrell Marshall. Ms. Nordby joined Terrell Marshall as an associate in 2021. Ms. Nordby concentrates her practice on complex civil litigation, including consumer protection and wage and hour class actions. Ms. Nordby also litigates employment discrimination, wrongful termination, and commercial disputes. Ms. Nordby received her J.D. from the University of Washington in 2021. During law school Ms. Nordby served as Executive Managing Editor of the Washington Journal of Environmental Law and Policy. She received the WSBA Labor & Employment Section 2019 Summer Grant for her public service work and commitment to labor and employment issues. Ms. Nordby is trained as a mediator and mediated a number of individual civil matters through the UW School of Law Mediation Clinic. Before joining the firm as an attorney, Ms. Nordby was a senior paralegal at Terrell Marshall from the time the firm opened in 2008 until starting law school in 2018.

25. **Jordan Berger** was an associate with Terrell Marshall from September 2024 to August 2025, and concentrated her practice on complex civil litigation, civil rights, and employment law. Ms. Berger received her J.D. from New York University School of Law in 2020. Before joining Terrell Marshall Law Group, Ms. Berger worked as a Skadden Fellow for



the National Center for Law and Economic Justice, and as law clerk to the Honorable Jamal Whitehead in the Western District of Washington. During law school, she interned with the ACLU Disability Rights Program and with the New York State Office of the Attorney General. Ms. Berger left Terrell Marshall to clerk for the Honorable Ronald M. Gould of the Ninth Circuit Court of Appeals.

26. **Jodi Nuss** is a senior paralegal at Terrell Marshall with more than 15 years of experience in the legal field.

27. **Heather Brown** is a paralegal at Terrell Marshall with more than 20 years of experience in the legal field.

**E. Other cases litigated by Terrell Marshall.**

28. Examples of Telephone Consumer Protection Act class actions that Terrell Marshall is litigating or has litigated to successful completion include:

- a. *Samson v. UnitedHealthCare Services, Inc.*—Filed in 2019 on behalf of consumers who received non-emergency prerecorded calls without prior express consent in violation of the TCPA. The Western District of Washington granted final approval of a \$2.5 million settlement on June 20, 2025.
- b. *Kovanen v. Asset Realty, LLC (D/B/A, Century 21 NW), et al.*—Filed in 2021 on behalf of Washington consumers who received unsolicited text messages on their cell phones without providing clear and affirmative consent in advance. The parties agreed to the material terms of a class-wide settlement and moved for preliminary approval in May 2025.
- c. *Williams v. PillPack LLC*—Filed in 2019 on behalf of consumers who received calls selling pharmacy services on their cell phones and residential telephones without their prior express consent. The Western District of Washington certified a class for litigation and granted final approval of a \$6.5 million settlement on April 18, 2025.
- d. *Moore v. Robinhood Financial, LLC*—Filed in 2021 on behalf of consumers who received text messages regarding Robinhood’s referral program without their prior consent in violation of Washington’s Commercial Electronic Mail Act. RCW 19.190, *et seq.* The Western District of Washington granted final approval of a \$9 million settlement on July 16, 2024.



- e. *Hoffman v. Hearing Help Express, Inc. et al.*—Filed in 2019 on behalf of consumers who received calls placed using an automatic telephone dialing system without their consent and when their phones were on the National Do-Not-Call Registry. This Court granted final approval of the \$1.3 million settlement on October 7, 2021.
- f. *Abante Rooter & Plumbing, Inc., et al. v. Alarm.com Inc., et al.*—Filed in 2015 on behalf of consumers who received solicitation calls on their cellular and residential telephones without their prior express consent. The Northern District of California granted final approval of the \$28 million settlement on August 15, 2019.
- g. *Borecki v. Raymours Furniture Co., Inc.*—Filed in 2017 on behalf of consumers who received spam text messages on their cellular telephones without their prior express consent. The Southern District of New York granted final approval of the \$4.25 million settlement on September 10, 2019.
- h. *Snyder v. Ocwen Loan Servicing, LLC*—Filed in 2014 on behalf of consumers who received automated collection calls on their cellular telephones without their prior express consent. The Northern District of Illinois granted final approval of the \$21.5 million settlement on May 14, 2019.
- i. *Melito, et al. v. American Eagle Outfitters, Inc., et al.*—Filed in 2014 on behalf of consumers who received spam text messages on their cellular telephones without their prior express consent. The Southern District of New York granted final approval to the \$14.5 million settlement on September 11, 2017, which the Second Circuit affirmed on April 30, 2019.
- j. *In re Capital One Telephone Consumer Protection Act Litigation*—Filed in 2012 on behalf of consumers who received automated, prerecorded collection calls on their cellular telephones without their prior express consent. Terrell Marshall served as co-lead counsel in the multidistrict litigation. The Northern District of Illinois granted final approval of the \$75 million settlement on February 23, 2015.
- k. *In re Monitronics International, Inc. Telephone Consumer Protection Act Litigation*—Filed in 2011 on behalf consumers who received automated, prerecorded solicitation calls on their residential and telephones without their prior express consent. Terrell Marshall served as co-lead counsel in the multidistrict

litigation. The Northern District of West Virginia granted final approval of the \$28 million settlement on June 12, 2018.

1. *Abante Rooter & Plumbing, Inc. v. Pivotal Payments Inc.*—Filed in 2016 on behalf of consumers that received automated solicitation telephone calls to their cell phones without their prior express consent. The Northern District of California granted final approval of the \$9 million settlement on October 15, 2018.
- m. *Wilkins, et al. v. HSBC Bank Nevada, N.A., et al.*—Filed in 2014 on behalf of individuals who received prerecorded calls using an automatic dialing system without their prior consent. The Northern District of Illinois granted final approval of the \$39.9 million settlement on March 17, 2015.
- n. *Booth v. Appstack, Inc.*—Filed in 2013 on behalf of small businesses that received prerecorded calls using an automatic dialing system on cellular telephone lines without their prior consent. The court certified the class, denied a motion to decertify, denied the defendants' motion for summary judgment and granted partial summary judgment for the class. The case settled on the eve of trial and the court granted final approval of the \$975,000 settlement in 2017.

29. Additional information about class actions litigated by Terrell Marshall is available on our website [www.terrellmarshall.com](http://www.terrellmarshall.com).

**F. Terrell Marshall's lodestar.**

30. I reviewed the firm's contemporaneous billing records and reduced and eliminated time where appropriate. I eliminated time that was administrative in nature, or that appeared to be redundant or inefficient. Terrell Marshall handled much of the administrative work in this case, including service and electronic court filings, calendaring, coordinating schedules, and administrative work related to depositions, and we removed some of the time spent on those tasks. I also excluded time billed by timekeepers who worked for less than five hours on the case. In total, I removed 9.2 hours and \$5,129 in lodestar from Terrell Marshall's time. The remaining time was reasonably necessary to litigate this case and secure a settlement on behalf of Plaintiff and the Class. A spreadsheet that compiles the contemporaneously

maintained billing records of Terrell Marshall attorneys and staff is attached as **Exhibit 1**, which contains redactions for attorney-client privilege and work product.

31. The work performed by our experienced paralegals and legal assistants was work that I (or another attorney on our team) would have had to perform absent their assistance. Their work required an understanding of the case and was important to developing the facts and claims at issue in the case. These paralegals are qualified to perform substantive work based on their training and past experience working for attorneys.

32. The following table identifies the attorneys and staff members from Terrell Marshall who worked on this case and for whom the recovery of fees is sought. For each of the timekeepers below I have stated the current hourly rate, the number of hours worked through September 23, 2025, and the total amount of fees. These time summaries are taken from contemporaneous, daily reports prepared and maintained by Terrell Marshall in the regular course of business.

| NAME AND POSITION                                                                                     | DESCRIPTION OF WORK PERFORMED                                                                                                                                                                                                                  | RATE       | HOURS BILLED | TOTAL        |
|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------|--------------|
| Beth E. Terrell<br>Founding Member<br>J.D. from Univ. of<br>California, Davis<br>School of Law, 1995  | Strategized about overall case management; reviewed and commented on draft pleadings and motion briefs; worked on discovery issues; prepared for and defended in-office depositions; assisted with settlement strategy and attended mediation. | \$1,150.00 | 37.3         | \$42,895.00  |
| Jennifer Rust<br>Murray<br>Founding Member<br>J.D. from Univ. of<br>Washington School<br>of Law, 2005 | Responsible for case management and overall case strategy, worked on complaint, managed discovery, worked on response to motion to dismiss and response to motion for summary judgment, managed subpoenas to wireless                          | \$950.00   | 212.3        | \$201,685.00 |

| NAME AND POSITION                                                                 | DESCRIPTION OF WORK PERFORMED                                                                                                                                                                                                                                                                                                                                                                                                             | RATE     | HOURS BILLED | TOTAL        |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------|--------------|
|                                                                                   | carriers, worked on settlement strategy and documentation, worked on settlement administration issues, worked on motion for preliminary approval and motion for attorneys' fees and costs.                                                                                                                                                                                                                                                |          |              |              |
| Amanda Steiner<br>Member<br>J.D. from UC Berkeley School of Law, 1997             | Worked on response to motion to dismiss and motion for attorneys' fees, costs, and service award.                                                                                                                                                                                                                                                                                                                                         | \$950.00 | 11.9         | \$11,305.00  |
| Blythe D. Chandler<br>Member<br>J.D. from Univ. of Washington School of Law, 2010 | Assisted with strategy and case management; worked on response to motion for summary judgment, assisted with finalizing settlement agreement, worked on issues regarding settlement administrator, and worked on preliminary approval motion.                                                                                                                                                                                             | \$800.00 | 12.5         | \$10,000.00  |
| Eden Nordby<br>Associate<br>J.D. from Univ. of Washington School of Law, 2021     | Worked on response to motion to dismiss, response to motion for summary judgment, motion for preliminary approval and motion for attorneys' fees and costs, worked on discovery requests and responses, attended depositions, reviewed document productions, attended discovery conferences and worked on correspondence and pleadings, worked on settlement agreement and notices, worked on issues regarding settlement administration. | \$600    | 369          | \$221,400.00 |

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| NAME AND POSITION                                                                                           | DESCRIPTION OF WORK PERFORMED                                                                                                                                                                      | RATE  | HOURS BILLED | TOTAL               |
|-------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--------------|---------------------|
| Jordan Berger<br>Former Associate<br>J.D. from New York<br>University School of<br>Law, 2020                | Worked on legal research and drafting response to motion for summary judgment and strategized regarding same.                                                                                      | \$600 | 36.1         | \$21,660.00         |
| Katherine Namkung<br>Summer Law Clerk,<br>2024<br>J.D. from Seattle<br>Univ. School of Law<br>expected 2026 | Worked on legal research regarding discovery issue and memorandum regarding same.                                                                                                                  | \$250 | 16.1         | \$4,025.00          |
| Jodi Nuss<br>Senior Paralegal<br>14 years legal<br>experience                                               | Managed, processed, and analyzed data productions, documents, worked on subpoenas to wireless carriers, assisted with discovery, motions, and deposition preparation, worked on settlement issues. | \$330 | 15.3         | \$5,049.00          |
| Heather Brown<br>Senior Paralegal<br>22 years legal<br>experience                                           | Reviewed document productions, worked on declaration and exhibits in support of response to motion for summary judgment.                                                                           | \$330 | 7            | \$2,310.00          |
| Krystal Brown<br>Legal Assistant<br>14 years legal<br>experience                                            | Prepared pleadings, subpoenas, discovery requests and responses, and motions.                                                                                                                      | \$250 | 25.7         | \$6,425.00          |
| Emilie Simmons<br>Legal Assistant<br>1 year legal<br>experience                                             | Handled calls from class members regarding the settlement.                                                                                                                                         | \$150 | 8.5          | \$1,275.00          |
| <b>Grand Total:</b>                                                                                         |                                                                                                                                                                                                    |       | <b>751.7</b> | <b>\$528,029.00</b> |

33. Terrell Marshall will incur additional fees in relation to the approval and settlement administration process, including for time spent briefing the final approval motion,

responding to class member inquiries and any objections, attending the final approval hearing, and supervising the claims process and distribution of the Settlement Fund.

34. Terrell Marshall sets rates for attorneys and staff members based on a variety of factors, including among others: the experience, skill and sophistication required for the types of legal services typically performed; the rates customarily charged in the markets where legal services are typically performed; and the experience, reputation and ability of the attorneys and staff members.

**G. Terrell Marshall's litigation costs.**

35. Terrell Marshall has incurred out-of-pocket litigation expenses totaling \$15,087.60, primarily to cover expenses related to travel, court reporters and transcripts, data hosting, filing fees, process server expenses, and mediation fees. These and the other costs incurred by Class Counsel, were reasonable and necessary to this litigation and the type of costs normally charged to a paying client. The following chart summarizes Terrell Marshall's litigation costs:

| Category of Expense                | Total      |
|------------------------------------|------------|
| Couriers/Process Servers           | \$273.00   |
| Filing Fees                        | \$989.49   |
| Electronic Production/Data Hosting | \$133.31   |
| Mediation Fees                     | \$8,625.00 |
| Court Reporter Fees                | \$569.25   |
| Transcripts                        | \$2,032.70 |
| Travel + Hotels                    | \$2,184.84 |
| Meals                              | \$215.27   |
| State Court Document request fees  | \$10.24    |
| Cell Phone Carrier Records         | \$54.50    |

| Category of Expense | Total              |
|---------------------|--------------------|
| <b>TOTAL</b>        | <b>\$15,087.60</b> |

**H. Contingent nature of Terrell Marshall's work.**

36. Terrell Marshall is litigating this case on a contingent basis, with no guarantee that it will ever be paid for its work or reimbursed for its costs. We assumed this risk even though recovery was far from certain given the litigation risks, including the risk that we would not certify a class or prevail on the merits. To effectively manage this case, Terrell Marshall turned down other opportunities.

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

EXECUTED at Seattle, Washington and DATED this 25th day of September, 2025.

By: /s/ Jennifer Rust Murray

Jennifer Rust Murray, WSBA #36983