

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

No. 5:15-cv-231

GARY and ANNE CHILDRESS, THOMAS  
and ADRIENNE BOLTON, STEVEN and  
MORGAN LUMBLEY, RAYMOND and  
JACKIE LOVE, HARRY and MARIANNE  
CHAMPAGNE, and RUSSELL and MARY  
BETH CHRISTE, *on behalf of themselves  
and others similarly situated,*

Plaintiffs,

v.

BANK OF AMERICA, N.A.,

Defendant.

**PLAINTIFFS' UNOPPOSED  
MOTION FOR AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF COSTS,  
AND PAYMENT OF CLASS REPRESENTATIVE SERVICE AWARDS**

Plaintiffs Gary and Anne Childress, Thomas and Adrienne Bolton, Steven and Morgan Lumbley, Raymond and Jackie Love, Harry and Marianne Champagne, and Russell and Mary Beth Christe (collectively "plaintiffs"), pursuant to Fed. R. Civ. P. 23(h) and Local Rule 7.1, respectfully move the Court for an award of attorneys' fees, reimbursement of costs, and class representative service awards relating to the settlement of claims in this action.

The Defendant, Bank of America, N.A., does not oppose this motion, the basis for which is fully set forth in the accompanying memorandum of law and joint declaration of counsel.

Submitted this 28th day of November, 2017.

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Steve W. Berman  
Steve W. Berman, WSB# 12536  
Shayne C. Stevenson, WSB# 30843  
1918 8th Avenue, Suite 3300  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594  
steve@hbsslaw.com  
shaynes@hbsslaw.com

SMITH & LOWNEY, PLLC

By: /s/ Knoll D. Lowney  
Knoll D. Lowney, WSB# 23457  
2317 E. John Street  
Seattle, WA 98112  
Telephone: (206) 860-2883  
Facsimile: (206) 860-4187  
knoll@igc.org

SHANAHAN LAW GROUP, PLLC

By: /s/ Brandon S. Neuman  
Kieran J. Shanahan, NCSB# 13329  
Brandon S. Neuman, NCSB# 33590  
128 E. Hargett Street, Third Floor  
Raleigh, NC 27601  
Telephone: (919) 856-9494  
Facsimile: (919) 856-9499  
kieran@shanahanlawgroup.com  
bneuman@shanahanlawgroup.com

*Local Rule 83.1 Counsel*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Plaintiffs' Unopposed Motion for Award of Attorneys' Fees, Reimbursement of Costs, and Payment of Class Representative Service Awards** was filed this 28th day of November, 2017, with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Mark E. Anderson  
McGuireWoods LLP  
2600 Two Hanover Square  
Raleigh, NC 27601

Bryan A. Fratkin  
McGuireWoods LLP  
Gateway Plaza  
800 East Canal St.  
Richmond, VA 23219

Myra H. Chapman  
McGuireWoods LLP  
Post Office Box 1288  
Charlottesville, VA 22902

HAGENS BERMAN SOBOL SHAPIRO LLP

By:     /s/ Steve W. Berman      
Steve W. Berman

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

No. 5:15-cv-231

GARY and ANNE CHILDRESS, THOMAS  
and ADRIENNE BOLTON, STEVEN and  
MORGAN LUMBLEY, RAYMOND and  
JACKIE LOVE, HARRY and MARIANNE  
CHAMPAGNE, and RUSSELL and MARY  
BETH CHRISTE, *on behalf of themselves and  
others similarly situated,*

Plaintiffs,

vs.

BANK OF AMERICA, N.A.,

Defendant.

**[PROPOSED] ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR  
AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF COSTS, AND PAYMENT  
OF CLASS REPRESENTATIVE SERVICE AWARDS**

Upon Plaintiffs' unopposed Motion for Award of Attorneys' Fees, Reimbursement of Costs, and Payment of Class Representative Service Awards, the Court has considered the parties' papers, relevant legal authority, and the record in this case, and the Court hereby GRANTS the Motion.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Attorneys' fees amounting to 30% of the \$41,920,374.06 gross settlement shall be awarded to Plaintiffs' counsel;
2. Reimbursement of reasonable expenses in the amount of \$44,110.14 shall be awarded to Plaintiffs' counsel; and

3. Service awards to the Class Representatives shall be awarded in the amounts requested by Plaintiffs, that is, awards per family of \$10,000 each to the following named Plaintiffs: Raymond and Jackie Love, Harry and Marianne Champagne, and Russell and Mary Beth Christe; and awards per family of \$15,000 each to the following named Plaintiffs: Gary and Anne Childress, Thomas and Adrienne Bolton, and Steven and Morgan Lumbley.

This \_\_\_\_\_ day of \_\_\_\_\_, 2017.

---

HON. TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE