

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SIOBHAN MORROW and ASHLEY
GENNOCK, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

ANN INC., a Delaware corporation,

Defendant.

Civil Action No. 16-cv-3340(JPO)(SN)

**DECLARATION OF DARYL F. SCOTT IN SUPPORT OF SCOTT+SCOTT
ATTORNEYS AT LAW LLP'S APPLICATION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF EXPENSES**

I, Daryl F. Scott, pursuant to 28 U.S.C. §1746, declare as follows:

1. I am a partner at Scott+Scott Attorneys at Law LLP and submit this declaration in support of final approval of the Settlement and my firm's application for an award of attorneys' fees and for the reimbursement of expenses incurred in the prosecution of the above-captioned litigation (the "Action").

2. By Order dated December 14, 2017, Scott+Scott was appointed Class Counsel in this Action.

3. The identification and background of my firm and the attorneys who were principally involved in this litigation was previously attached as Exhibit 2 to the Joint Declaration of Joseph P. Guglielmo and Gary F. Lynch In Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Settlement and Certification of Settlement Class. *See* ECF No. 61-

4. The statements and information in this Declaration are based on my review of the accounting records maintained in the ordinary course of business at Scott+Scott and from information provided to me from employees working under my supervision and control. The

purpose of the review was to confirm the accuracy of the information, as well as the necessity for, and reasonableness of, the time and expenses committed to this Action. I believe that the time reflected in the firm's lodestar calculation and the expenses for which reimbursement is sought as set forth in this Declaration are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the litigation. In addition, I believe that the expenses are all of a type that are and would normally be charged to fee-paying clients in the private legal marketplace.

5. Scott+Scott has spent 745.2 hours litigating this Action. The firm's lodestar, set forth below, totals \$466,938.50. The billing rates in this Action are set by the firm for each individual and are usual and customary billing rates for this type of litigation. In preparing the lodestar chart below, I excluded any individual who billed less than 10 hours on this matter.

Lodestar			
Name	Total Hours	Hourly Rate	Lodestar
Partners			
David Scott	10.50	\$995.00	\$ 10,447.50
Joseph Guglielmo	182.30	\$900.00	\$ 164,070.00
Daryl Scott	10.20	\$900.00	\$ 9,180.00
Erin Green Comite	123.90	\$775.00	\$ 96,022.50
Total Partners	326.90		\$ 279,720.00
Associates			
Carey Alexander	184.80	\$575.00	\$ 106,260.00
Joseph Pettigrew	62.70	\$400.00	\$ 25,080.00
Mattaio Leggett	34.10	\$400.00	\$ 13,640.00
Total Associates	281.60		\$ 144,980.00
Paralegals			
Kimberly Jager	15.30	\$325.00	\$ 4,972.50
Tony Kim	11.50	\$275.00	\$ 3,162.50
Kaitlin Steinberger	29.20	\$325.00	\$ 9,490.00
Irina Chilaia	80.70	\$305.00	\$ 24,613.50
Total Paralegals	136.70		\$ 42,238.50
Total	745.20		\$ 466,938.50

6. Scott+Scott has incurred out of pocket expenses in this Action that total \$7,192.38

The firm seeks reimbursement for these expenses shown in the chart that follows:

Expenses	
Courier	\$ 32.65
Filing, Witness & Other Fees	\$ 778.80
On-Line Research	\$ 2,553.29
Photocopies	\$ 1,601.40
Postage	\$ 19.68
Staff Overtime	\$ 181.78
Telephone, Facsimile	\$ 618.36
Travel (Meals, Hotels & Transportation)	\$ 1,406.42
Total	\$ 7,192.38

7. All of the time and expense incurred in prosecuting the Action are reflected in the accounting records of Scott+Scott, except for and time that may be spent in further support of final approval of the Settlement and any time and the expenses which will be incurred in connection with preparing for and attending the Court's Final Approval Hearing on April 19, 2018.

I declare under penalty of perjury that the foregoing is true and correct. Executed February 2, 2018 at Colchester, Connecticut.



Daryl F. Scott