

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**MARCIA G. FLEMING; CASEY
FREEMAN; DAVID GUYON; ANTHONY
LOSCALZO; PATRICK ROSEBERRY;
and JULIO SAMNIEGO individually, on
behalf of the Rollins, Inc. 401(k) Savings
Plan and on behalf of all similarly situated
participants and beneficiaries of the Plan,**

Plaintiffs,

v.

**ROLLINS, INC.; THE ADMINISTRATIVE
COMMITTEE OF THE ROLLINS, INC.
401(k) SAVINGS PLAN, BOTH
INDIVIDUALLY AND AS THE *DE
FACTO* INVESTMENT COMMITTEE OF
THE ROLLINS, INC. 401(k) SAVINGS
PLAN; EMPOWER RETIREMENT, LLC
F/K/A PRUDENTIAL INSURANCE AND
ANNUITY COMPANY; PRUDENTIAL
BANK & TRUST, FBS, AS DIRECTED
TRUSTEE OF THE ROLLINS, INC. 401(k)
PLAN TRUST; ALLIANT INSURANCE
SERVICES, INC.; ALLIANT
RETIREMENT SERVICES, LLC; PAUL
E. NORTHEN, JOHN WILSON, JERRY
GAHLHOFF, JAMES BENTON, and A.
KEITH PAYNE in their capacities as
members of the Administrative Committee;
and John and Jane Does 1–10,**

Defendants.

Case No. 1:21-cv-05343-ELR

PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES AND EXPENSES

Under Federal Rules of Civil Procedure 23(h) and 54(d)(2), Plaintiffs move that the Court approve an attorneys' fee award to Class Counsel of \$1,308,333 (one-third of the monetary recovery) and reimburse Class Counsels' reasonable litigation expenses of \$224,970.91.

Class Counsel bore tremendous risk in order to benefit the Class. In spite of this risk, Class Counsel, as a team, leveraged their experiences, including experience in excessive fee litigation, to achieve an efficient resolution of this matter, thereby avoiding the delay and expense of years of litigation and substantial risk of non-recovery for the Class.

The requested percentage of the settlement fund is comparable to attorneys' fees awarded in similar cases. Based on all of the relevant factors, and for the reasons stated in Plaintiffs' supporting memorandum, Plaintiffs respectfully request that the Court grant their motion.

Dated: February 16, 2024

Respectfully submitted,

BAILEY & GLASSER LLP

By: /s/ Mark G. Boyko

Mark G. Boyko

mboyko@baileyglasser.com

Bailey & Glasser LLP

34 N. Gore Ave., Suite 102

Webster Groves, Mo 63119

Telephone: (314) 863-5446

Facsimile: (314)-863-5483

PAUL J. SHARMAN

Georgia State Bar No. 227207

The Sharman Law Firm LLC

11175 Cicero Drive, Suite 100

Alpharetta, GA 30022

Phone: (678) 242-5297

Fax: (678) 802-2129

Email: paul@sharman-law.com

Jon D. Pels, Esq. (pro hac vice pending)

Email: jpels@pelslaw.com

Katerina M. Newell, Esq.

(pro hac vice pending)

Email: knewell@pallaw.com

The Pels Law Firm

4845 Rugby Avenue,

Third Floor

Bethesda, MD 20814

Phone: (301) 986-5570
Fax: (301) 986-5571

Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this date the foregoing document was electronically filed with the Clerk using the CM/ECF system, which will send a notice of electronic filing to all registered users of the CM/ECF system.

Dated: February 16, 2024

By: /s/ Mark G. Boyko
Mark G. Boyko