

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

WALTER BLACK III, KEITH BARR, WAYNE
BEST, and DAVID FANT SR., individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

USAA GENERAL INDEMNITY COMPANY,
GARRISON PROPERTY AND CASUALTY
INSURANCE COMPANY, UNITED SERVICES
AUTOMOBILE ASSOCIATION, USAA
CASUALTY INSURANCE COMPANY,

Defendants.

Case No. 8:21-CV-01581-LKG

**DECLARATION OF KAREN KOHN IN SUPPORT OF PLAINTIFFS' MOTION FOR
AWARD OF ATTORNEY'S FEES AND COSTS AND SERVICE AWARDS**

I, Karen Kohn, declare under penalty of perjury of the laws of the United States as follows:

1. I am the managing partner at The Kohn Law Group. I am co-counsel of record for Plaintiffs in the above-captioned case. I submit this declaration in support of Plaintiffs' Motion for an Award of Attorney's Fees, Expenses, and Service Awards.

2. On December 16, 2025, this Court preliminary appointed my co-counsel Kagan Stern Marinello & Beard LLC, Tycko & Zavareei LLP, and Timoney Knox, LLP, as Class Counsel for the Settlement Class. While I was not included as Settlement Class Counsel, I still contributed crucial time to this case that helped Class Counsel achieve settlement on behalf of the Settlement Class.

3. I make this declaration based on my personal knowledge and the records of my law firm. If called upon to do so under oath, I could and would testify competently to the matters set forth herein.

4. I was first admitted to practice law in Maryland in 1995. I am also licensed to practice law in Washington, D.C. I am admitted in the United States District Court of Maryland, the United States District Court of the District of Columbia, Maryland Courts and the DC Superior Court.

5. I graduated from the American University Washington College of Law in 1994 and from the University of Michigan in 1991. Following graduation from law school, I have worked in private practice, served as counsel for the Washington Metropolitan Area Transit Authority (WMATA) and The Educational Fund to Stop Gun Violence. I founded my own law firm in 2017. I currently serve on the Washington, D.C Trial Lawyers Association Executive Committee and Board.

6. I have been practicing law since 1995. Over the past 31 years, I have gained substantial experience litigating cases on behalf of plaintiffs and litigating insurance disputes. I have also served as WMATA general counsel where I defended the organization in bus, rail, police brutality, employment and against an ADA violation class claim. While serving as counsel for the nonprofit, The Educational Fund to Stop Gun Violence, I litigated both private claims and class action lawsuits on behalf of municipalities, individuals, and associations against gun manufacturers.

7. The Kohn Law Group has maintained contemporaneous time records in this case. Since 2021, the Kohn Law Group spent 86.5 hours litigating this case. In my opinion, the time spent by the Kohn Law Group was reasonable and necessary. Indeed, by prosecuting this case

purely on a contingency basis and not being paid by the hour, the Kohn Law Group worked efficiently and avoided unnecessary work.

8. The total number of hours is based only on the hours reasonably expended to achieve an excellent result for the Classes. Our firm coordinated our efforts in the litigation of this case with our co-counsel to ensure that there was no duplicative or unnecessary work. Because our firm is experienced in litigating cases, we were able to efficiently divide tasks based on expertise.

9. The Kohn Law Group assisted in the investigation of the facts underlying the claims and liability in this action. This investigation included review of the Consent Order and underlying background information made available via a Public Information Act request as well as review of the Code of Maryland Regulations particularly Title 31 and the Maryland Insurance Code particularly Title 2 and Title 27.

10. The Kohn Law Group assisted in interviewing potential clients and reviewed those potential clients' insurance bills and policies to verify the Late Fee charges. The Kohn Law Group interviewed Class Representative Walter Black and participated in calls with him to answer questions and provide information on the case. The substantial case vetting including the research, interviews, and document review described herein was followed by class counsel drafting the complaint.

11. The Kohn Law Group continued to participate in routine phone meetings throughout the course of the litigation with Class Representative Walter Black to advise about case developments and to answer questions.

12. Over nearly four years of litigation, class counsel defended three rounds of motion to dismiss briefing. During the pendency of Defendants' Initial motion to dismiss, Judge Messitte *sua sponte* Issued a Letter Order staying this Action pending confirmation that the MIA's

administrative jurisdiction had been exhausted. ECF No. 47. Class Counsel researched the MIA's applicable procedures and drafted an administrative complaint on behalf of Plaintiff Black and others similarly situated. Following an exchange of letters with the MIA, it was confirmed that the MIA had exhausted its jurisdiction, so the Parties jointly moved to lift the stay, and Defendants filed a renewed motion to dismiss that still included complicated arguments regarding concurrent jurisdiction and contractual privity, amongst others.

13. The Kohn Law Group assisted in researching Maryland caselaw on administrative exhaustion, primary jurisdiction, exclusive jurisdiction, and common law claims of unjust enrichment and money had and received and participated in strategy discussions to oppose Defendants' motion to dismiss.

14. Following decision on Defendants' second motion to dismiss, Plaintiffs' counsel vetted potential economic experts and ultimately retained an expert with extensive experience in financial and forensic investigation, including evaluating multiple damages models relating to financial institutions. This expert advised Plaintiffs' counsel as to the range of possible recoveries for the claims asserted in this action. The Kohn Law Group, along with class counsel, used this data when participating in the mediation and settlement negotiations.

15. The Parties likewise began discovery following the decision on the second motion to dismiss. The Kohn Law Group worked with the class representative to prepare responses to discovery.

16. After concluding substantial discovery, the Parties prepared substantive mediation statements including expert calculations. The Parties then participated in a full day mediation before the Honorable Benson E. Legg (Ret). The Kohn Law Group participated in this full day mediation. While the Parties did not reach an agreement to settle on the date of mediation, they

continued working with Judge Legg by providing further written submissions and meeting with him regarding their positions.

17. During this time, Plaintiff amended his Complaint to add three additional Plaintiffs: Keith Barr, Wayne Best, and David Fant, Sr. These individuals contracted with the Defendant entities with whom Plaintiff Black was not in contractual privity. Defendants moved to dismiss the First Amended Complaint.

18. Prior to the Court's decision on Defendants' third motion to dismiss, the Parties accepted a settlement recommended by Judge Legg and notified the Court of the same on June 4, 2025.

19. Class Counsel drafted the Settlement Agreement, its exhibits and notice documents, coordinated with the Settlement Administrator, and drafted the preliminary approval documents.

20. Following the filing of the preliminary approval motion, the Court held a hearing on November 19, 2025. The Kohn Law Group participated in this hearing. Following the hearing, Judge Griggsby issued an order granting preliminary approval of the proposed settlement.

21. The Kohn Law Group reviewed and assisted in preparing this Motion for Attorney's Fees and Service Awards and Motion for Final Approval of the Proposed Settlement.

22. In private practice, the Kohn Law Group represents individuals on contingency fee. Each fee arrangement is a contractual agreement subject to the particulars of those individual matters and is not dependent on court award. The Kohn Law Group's customary fee agreement sets forth a contingency fee of 33 1/3% of the total gross amount by settlement and before suit is filed; and 40% if a lawsuit is filed or arbitration begun. The Kohn Law Group is aware that this District's Local Rules recognize the Fitzpatrick Matrix as a useful guideline for hourly rates for Washington, D.C. attorneys like Karen Kohn. Calculations provided herein are based on the most

recent version available, which is for year 2025. The calculation for years of experience is based on the year of Partner Karen Kohn’s bar passage.

23. The reasonableness of the hourly rates sought by my firm, the Class Counsel law firms, and the other Plaintiffs’ firms are supported by the rates charged by other firms with similar experience and expertise in the area of complex and class action litigation.

24. The hours and rates of the timekeepers at the Kohn Law Group who worked on this action are outlined in the following chart:

Timekeeper	Professional status/ Law School Grad Yr.	Hours	Fitzpatrick Matrix Rate	Fitzpatrick Matrix Lodestar
Karen Kohn	Partner/ 1994	86.5	\$924	\$79,926.00
The Kohn Law Group total				\$79,926.00

25. Likewise, hours for all Kohn Law Group timekeepers by litigation phase are set forth in the following chart:

Category	Karen Kohn
Case development, background investigation and case administration	6 hours
Pleadings	13 hours
Interrogatories, document production, and written discovery	4 hours
Depositions	
Motion practice	43 hours
Attending court hearings	5 hours
Trial preparation and post-trial motions	
Attending trial	
ADR	14 hours
Fee petition preparation	1.5 hours
Total	86.5 hours

26. The Kohn Law Group notes that some of the time entries may cross over between categories. When this is the case, the Kohn Law Group has selected the most dominant category.

27. In my opinion, the time expended and expenses incurred in prosecuting this action were reasonable and necessary for the diligent litigation and fair resolution of this matter. Moreover, the hours noted above do not include all the time to be devoted to preparing for and appearing at the final approval hearing or dealing with post-hearing matters.

The foregoing is true and correct to the best of my knowledge and belief. Executed on March 16, 2026, in Washington, District of Columbia.

Respectfully submitted,

A handwritten signature in cursive script that reads "Karen Kohn".

Karen M. Kohn, Bar #12846
THE KOHN LAW GROUP, PLLC
1717 K Street, NW, Suite 900
Washington, D.C. 20006
Phone: (202) 465-8686
Facsimile: (202) 871-7394
Email: karen@thekohnlawgroup.com