

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION**

**S.H., individually, and on behalf
of all others similarly situated,**

Plaintiffs,

v.

No: 2:23-cv-00071-TRM-JEM

CITY OF JOHNSON CITY, TENNESSEE,

Defendant.

_____ /

**JOINT DECLARATION OF CLASS COUNSEL IN SUPPORT OF MOTION FOR
ATTORNEY'S FEES, REIMBURSEMENT OF EXPENSES, SERVICE AWARD FOR
CLASS REPRESENTATIVE**

Elizabeth Kramer, Vanessa Baehr-Jones, and Heather Collins jointly declare:

1. We serve as Class Counsel in this action and submit this declaration in support of Plaintiff's Motion for Attorney's Fees, Reimbursement of Expenses, and Service Award for Class Representative. Ms. Kramer is a founding partner of Erickson Kramer Osborne LLP, Ms. Baehr-Jones is the founding partner of Baehr-Jones Law (formerly Advocates for Survivors of Abuse, PC), and Ms. Collins is the founding partner of HMC Civil Rights Law.
2. We have personal knowledge of the facts set forth below and can testify to them competently if called upon to do so.

STATUS OF THE SETTLEMENT

3. The Court granted preliminary approval of the Settlement on July 2, 2025. ECF 521. As detailed in the Motion for Final Approval of Class Action Settlement and declarations in support filed on November 11, 2025, the Court-approved notice program has been carried out

successfully, and the Settlement Administrator has been providing information and assisting class members with matters such as updating contact or tax information. No class member objected and only one opted out.

4. Class Counsel estimated at the preliminary approval stage that settlement class members would be eligible for a payment of approximately \$7,000. ECF 515 at 8. That sum remains a valid estimate, as calculated by subtracting the following figures from the gross settlement amount of \$4,200,000:

- a. Settlement Administration Costs: \$95,000.00
- b. Attorney's Fees: \$1,400,000.00
- c. Litigation Costs: \$39,783.66
- d. Service Award: \$20,000.00
- i. Total Costs/Fees/Service Award = \$1,554,783.66

This yields a total net settlement fund of \$2,645,216.34. When divided equally among the present estimate of 352 class members, it results in a pro rata payment of \$7,514.82. We note that the litigation costs and number of class members have been updated since the preliminary approval stage. The litigation costs are set forth below, and the Settlement Administrator estimates 352 settlement class members as of the date of this filing. ECF 540, Waskiewicz Decl. at ¶¶ 8, 18, 20 (347 class members originally identified, 6 additionally identified, 1 opt-out).

5. While the exact per-person amount will be calculated by the Settlement Administrator after the Settlement becomes effective, the calculation above provides reasonable assurance that the payment will match or exceed the \$7,000 estimate.

CLASS COUNSEL'S EXPERIENCE

6. Class Counsel all have significant experience and expertise that made successful litigation of the action possible. Our firm resumes were submitted to the Court in support of Plaintiffs' Motion for Preliminary Approval and appear on the docket at ECF 516-1, 516-2, 516-3. To highlight:

- a. Ms. Baehr-Jones served as a federal prosecutor for nearly a decade before opening her civil practice; has experience investigating, indicting, and preparing for trial federal sex trafficking cases; and has approximately 15 years of experience working with victims of sexual violence.
- b. Ms. Erickson, Ms. Kramer, and Mr. Osborne are among the small number of attorneys nationwide with significant experience litigating class action cases involving claims of sexual assault and abuse. They also bring specialized skill in planning and supervising the class notice and claims administration processes appropriate for settlements involving such highly sensitive subject matter.
- c. Ms. Collins is a stalwart civil rights advocate who has been litigating constitutional claims in this region for approximately thirty years and has expertise in Tennessee tort claims and cases brought against Tennessee municipalities.

WORK PERFORMED

7. The time and effort expended in this litigation was considerable. The nature of the allegations and the sources of evidence required extensive discovery, including propounding over sixty requests for production of documents, interrogatories, and requests for admission. Our team briefed numerous discovery motions and ultimately reviewed approximately 200,000 documents.

8. Third-party discovery was a major focus, with our team serving more than 70 subpoenas for records from entities like banks and mobile service providers, as well as 10 deposition

subpoenas targeting individuals such as Johnson City's City Manager, the acting Attorney General for Tennessee's First Judicial District, and an alleged accomplice of Sean Williams.

9. Class Counsel also briefed several Rule 12(b)(6) motions, a motion for leave to amend, a motion to exclude the Daigle Report, among others, and filed motion for class certification.

10. Engaging in mediation and papering the proposed Settlement was also a significant undertaking. Both sides exchanged detailed briefs and met separately with the mediator, Hon. Layn Phillips (ret.) and his team several times ahead of an all-day mediation. Negotiations continued for two months—using both shuttle diplomacy and direct meetings—until a settlement was finally reached.

11. Our three firms have dedicated over 9,000 hours of billable attorney time to this case. We base our hourly billing rates on the Laffey Matrix, <http://www.laffeymatrix.com>, which accounts for local variability in setting standard billing rates for lawyers of similar experience levels nationwide firm's billing rates. By firm and attorney, our hourly rates are:

- a. EKO: Ms. Erickson (\$948), Ms. Kramer (\$948), Mr. Osborne (\$1,141)
- b. Baehr-Jones Law: Ms. Baehr-Jones (\$948)
- c. HMC Civil Rights: Ms. Collins (\$1,141), associate attorneys Ashley Walter (\$581), Lucia Izzolo (\$473)

12. To prepare a lodestar calculation, we used \$880/hour as the approximate blended rate of the seven attorneys who billed time to this case, multiplied by 9,000 hours, yielding \$7,920,000.

LITIGATION COSTS

13. Class Counsel advanced all costs in this matter.

14. The following chart breaks down by category all litigation costs advanced by Class Counsel, and states the costs Class Counsel allocates to the class action portion of the litigation:

Litigation Cost Allocation to Class Action

<i>Category</i>	<i>Total Costs</i>	<i>15% Allocation</i>
<i>Travel</i>	\$99,414.16	\$14,912.12
<i>Depositions</i>	\$43,841.35	\$6,576.20
<i>Experts</i>	\$51,301.10	\$7,695.17
<i>Mediation</i>	\$44,590.00	\$6,688.50
<i>Miscellaneous*</i>	\$26,077.78	\$3,911.67
<i>Total</i>	\$265,224.39	\$39,783.66

*Includes: document collection & production, filing fees, research and investigation costs, and costs associated with the administration of the Qualified Settlement Fund.

15. Class Counsel litigated this class action in parallel with multiple individual claims. All claims, class and individual, were settled for a total settlement amount of \$28 million. The class action settlement for which Class Counsel seeks final approval constitutes 15% of that \$28 million, or \$4.2 million. Class Counsel calculates their litigation costs associated with litigating the class action are also 15% of their total litigation costs. The total litigation costs related to the class action are, therefore, \$39,783.66.

16. Class Counsel maintain documentation in their books and records for all litigation costs described in the table, above. Class Counsel has ensured that the total reimbursement from the Settlement Amount and from prior individual settlements is less than the amount actually paid by Class Counsel.

SERVICE AWARD

17. Concurrent with the filing of this motion, S.H. has submitted a declaration describing her experience of serving as a representative for the Class.

18. Based on our experience, S.H. capably fulfilled all responsibilities of a class representative and was critical to securing the Settlement. S.H. gave detailed statements about her experience that contributed to the development of class allegations, reviewed pleadings, learned about the legal process, and stayed apprised of case developments through regular communications with us. She provided thoughtful input on significant decisions affecting the Class, including the evaluation and approval of the proposed Settlement.

19. Class Counsel respectfully submit that a service award of \$20,000 to Class Representative S.H. is reasonable and fair because her significant participation in the litigation despite considerable personal risk and burden brought about tremendous benefits for class members.

We declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Respectfully submitted November 11, 2025.

/s/ Elizabeth A. Kramer

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CERTIFICATE OF SERVICE

I HEREBY certify that a copy of the foregoing has been filed and served via the court's electronic filing system on November 11, 2025 to counsel of record:

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