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LACKAWANNA COUNTY  
2024 JUL 24 P 3:27  
CLERK OF JUDICIAL  
RECORDS CIVIL DIVISION

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*Attorneys for Plaintiff*

YVONNE AYALA, individually and on behalf  
of all others similarly situated,

*Plaintiff,*

v.

COMMONWEALTH HEALTH PHYSICIAN  
NETWORK, et. al,

*Defendants.*

**LACKAWANNA COUNTY COURT  
OF COMMON PLEAS**

**No. 23-CV-3008**

**DECLARATION OF JEAN S. MARTIN IN SUPPORT OF PLAINTIFF'S MOTION FOR  
ATTORNEYS' FEES, EXPENSES, AND SERVICE AWARDS**

1. I am counsel for Plaintiff in the above-captioned case. I have personal knowledge of the facts in this declaration and could testify to them if called on to do so.

2. Class Counsel conducted extensive pre-suit investigation to determine the scope and causes of the data breach and the types of personally identifiable information stolen in the data breach. Class Counsel's substantial efforts in investigating this case permitted Class Counsel to make very informed decisions about presenting Class Representatives' claims in this case,

supervising in-depth plaintiff vetting for suitable Class Representatives for this matter, researching and drafting the thorough and detailed Complaint, and participating in protracted settlement negotiations.

3. Thereafter, Class Counsel analyzed and developed the various legal theories and causes of action. Class Counsel was able to evaluate the strengths and weaknesses of various claims and arrive at a hard-fought but fair resolution of this matter.

4. All told, Class Counsel demonstrated skill and dedication in zealously litigating the case.

5. Class Counsel were able to negotiate a settlement that would resolve all pending related cases, including those currently pending in the U.S. District Court for the Middle District of Pennsylvania. The Settlement includes plaintiffs from those actions as class representatives and Class Counsel anticipates distributing any fees awarded to counsel in those cases as well.

6. I assert that the attorneys' fees sought in the motion for attorneys' fee are reasonable and that Class Counsel seek fair and reasonable compensation for all plaintiffs' counsel for undertaking this case on a contingency basis and for obtaining the relief for Plaintiffs and the Settlement Class. Throughout this action, Defendants have been represented by highly experienced and skilled counsel who deployed very substantial resources on Defendants' behalf.

7. The law firms involved kept detailed records regarding the amount of time its attorneys and professional staff spent on this litigation, and the lodestar calculation is based on attorneys' current billing rates. The information provided herein was prepared from contemporaneous, daily time records regularly prepared and maintained by all firms.

8. In the course of litigating this action, counsel for plaintiffs in all of the Related Actions have recorded litigation expenses in the amount of \$7,462.74. These expenses include

filing and court fees, postage and copying charges, and mediation expenses. I assert that these expenses were reasonable and necessary for the prosecution of this matter.

9. In the course of litigating this action, Class Counsel and counsel in the Related Actions have recorded a total combined lodestar of \$248,211.90. In addition, Class Counsel expects that their lodestar will increase meaningfully for the time that must yet be expended: (1) briefing final approval; (2) arguing final approval; and (3) completing settlement administration and the claims process, including overseeing the settlement administrator and continued interaction with Settlement Class members to answer their questions regarding the Settlement and claims process. Thus, the current lodestar multiplier of 2.68 will only decrease as the case continues.

10. In addition to Class Counsel, the Class Representatives were an integral part of achieving the Settlement. Without the Class Representatives the thousands of other Class Members would not have received the benefits now available, and the Class Representatives spent time and effort providing information, reviewing pleadings, and otherwise participating in the litigation and settlement.

11. At all times, the Class Representatives have done everything asked of them in the pursuit of this litigation and have maintained the best interests of the Class while performing their class representative duties.

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

Dated: July 25, 2024

s/ Jean Sutton Martin  
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