

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

Barry Sewall, Shamika Gregory, Jerome Gregory, Frank Richmond, Michael McDermott, Kelley McDermott, Chance Gallo, Sheila Nasilasila, Erin Wise, Michael Curran, Christa Curran, Latrice Jones-Byrd, LaQuita Dasher, Ayoka Durham, Marcus Durham, Donna Sheard, Richard Allen, Gabrielle Todd, Gina Johnson, and Lionel Johnson each individually and on behalf of all others similarly situated,

Plaintiffs,

v.

Home Partners Holdings LLC, and
OPVHHJV LLC, d/b/a Pathlight
Property Management,

Defendants.

Court File No.: 0:25-CV-7849

**DECLARATION OF JOSEPH C.
BOURNE IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES,
REIMBURSEMENT OF LITIGATION
EXPENSES, AND CLASS
REPRESENTATIVE SERVICE
AWARDS**

I, Joseph C. Bourne, state as follows under penalty of perjury under 28 U.S.C.

§ 1746:

1. I am a partner of the law firm of Lockridge Grindal Nauen PLLP ("LGN"), and I am admitted to practice in this Court. Both I and other attorneys from LGN have acted as co-lead counsel for Plaintiffs since November 2022. I am familiar with all the proceedings and have personal knowledge of the matters set forth herein. If called on and sworn as a witness, I would be competent to testify thereto.

2. I submit this Declaration in support of Plaintiffs' Motion for Final Approval of Class Action Settlement, as well as their Motion for Attorneys' fees, reimbursement of Litigation Expenses, and Class Representative Service Awards.

3. On July 31, 2025, the Court appointed me, along with Anne T. Regan and Scott C. Harris, as Settlement Class Counsel in this matter. ECF No. 24.

4. The work performed by Settlement Class Counsel collectively, the history of the litigation, and the efforts of the Class Representatives are generally set forth in the Declaration of Anne T. Regan.

5. This declaration focuses on the time and expenses LGN spent on this litigation.

6. LGN kept contemporaneous time and expense records related to this matter as we do in the ordinary course of business. We billed time in one-tenth of an hour (0.1) increments, avoided block billing, avoided duplicative billing, and avoided excessive billing in this litigation.

7. These records include a chronological listing of time reported for work performed by attorneys and paralegals, a complete and accurate categorization of work performed, the name and title of the person who performed the work, the hourly rate associated with each attorney and paralegal at the time the work was performed, and the firm's expenses incurred in relation to the case.

8. My firm's efforts in prosecuting and resolving this litigation for the benefit of the Settlement Class include but are not limited to the following:

- Led work with experts in developing model to estimate class-wide damages and demonstrate class-wide economic injury;

- Defended deposition of Plaintiffs' expert in consumer behavior;
- Prepared for and took deposition of Defendants' damages expert;
- Prepared for and took depositions of certain of Defendants' current and former employees;
- Prepared for and defended depositions of certain named Plaintiffs;
- Prepared for and took depositions of Defendants' corporate representatives pursuant to Rule 30(b)(6) on certain designated topics;
- Participated in and led discussion in certain hearings and status conferences;
- Prepared for and argued dispositive motions, including Defendants' motions to decertify class and to exclude certain of Plaintiffs' experts, and Plaintiffs' motion to exclude certain of Defendants' experts;
- Reviewed and compiled data from thousands of leases and ledgers of Minnesota class members for purposes of presenting Plaintiffs' damages evidence at trial in Minnesota court;
- Led drafting of dispositive and critical motions, including Minnesota class certification reply brief, Washington briefs in opposition to exclusion of Plaintiffs' experts, Maryland brief in opposition to motion to dismiss, and portions of several other briefs;
- Conducted legal research on various issues across all relevant states;
- Worked on trial and witness strategy and preparation in Minnesota case;
- Reviewed, analyzed, and coded Defendants' documents and Plaintiffs' documents;
- Prepared, negotiated, and analyzed responses to public records requests issued to Minnesota and Washington agencies;
- Drafted portions of mediation briefs;

- Attended and participated in mediation and ongoing settlement negotiations; and
- Participated in numerous meet and confers.

9. The total number of hours my firm expended on this case from inception through October 10, 2025, is 2,319.60 hours. The total lodestar is \$2,133,255.00. My firm's lodestar figures are based on the firm's current hourly billing rates. The hourly rates for the partners, associates, and professional support staff in my firm are the same as the usual and customary hourly rates charged for their services in contingent matters, which courts have approved in numerous contingent matters, including in matters in the Northern District of Illinois and the Seventh Circuit. The total number of hours was determined by examining contemporaneous daily time records regularly prepared and maintained by my firm.

10. Attached as Exhibit 1 is a summary of the time spent by partners, associates, and other professional staff from my firm who have worked on this litigation. I reviewed our detailed time records in determining my firm's total hours and lodestar and exercised billing judgment and discretion in that review. For instance, in presenting these summary records, I have reduced my firm's lodestar for time billed by any timekeeper who billed less than 10 hours to the Class Action Matters. Similarly, we have not billed any time for work performed by legal administrative assistants, including time spent on work that benefited the Class, such as court filings and a detailed review and compilation of data from tenant ledgers produced by Defendants.

11. My firm has paid a total of \$191,261.88 in expenses since the start of this case, which is detailed in Exhibit 2. The expenses incurred in this action are reflected on the books and records of my firm. These books and records are prepared from source materials such as invoices, expense vouchers and check records and represent an accurate reflection of the expenses incurred.

12. As detailed in their declarations, my Co-Class Counsel at the law firms of Bryson Harris Suci & DeMay, PLLC¹ and Hellmuth & Johnson PLLC contributed to ongoing common cost expenses, such as deposition transcripts, ESI discovery costs like the Everlaw document review platform, mediator fees, special master fees, and expert fees. Accordingly, the total unreimbursed expenses incurred by my firm (not including assessments paid to the litigation fund and accounted for in Anne Regan's declaration) is \$43,126.13.

13. I have never participated in an "auction" for the right to serve as lead or co-lead class counsel by bidding a ceiling for a contingent fee award in class action litigation like this. I have consulted with all my partners at LGN, and none of them have done so, either. Our informed belief is that LGN has never participated in such an auction. *See In re Synthroid Mktg. Litig.*, 264 F.3d 712, 720 (7th Cir. 2001).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 13, 2025.

/s/ Joseph C. Bourne
Joseph C. Bourne

¹ Throughout much of the litigation, the relevant attorneys now at Bryson Harris Suci & DeMay, PLLC, were members of the law firm Milberg Coleman Bryson Phillips Grossman, PLLC.