

# ATTACHMENT 1

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**IN RE: TELEXFREE SECURITIES  
LITIGATION**

**MDL No. 4:14-md-2566-TSH**

**This Document Relates to:  
ALL CASES**

**[PROPOSED] ORDER GRANTING MOTION  
FOR AN INTERIM AWARD OF ATTORNEYS' FEES**

The Court, having reviewed Plaintiffs' Motion for an Interim Award of Attorneys' Fees, the pleadings and other papers on file in this action, the response of the class members, and the statements of counsel and the parties, hereby finds that:

1. The Motion requests an award of attorneys' fees in the amount of \$6,750,000 or 30% of the \$22,500,000 Settlement Fund.
2. Potential Class Members were sent Notice of the settlement and the proposed fee application, which included a description of the amount of fees Plaintiffs would seek and the proper procedure for objecting to the fee application or requesting exclusion from the Settlement Class. No Class Members objected to the fee application.
3. The Court finds that the requested fee award is fair and reasonable under the percentage-of-the-recovery method based upon the following factors: (i) Class Counsel have produced a benefit for the class in the form of a common fund and are entitled to payment of reasonable attorneys' fees and expenses from that fund; (ii) the size of the fund and the number of persons benefitted; (iii) the skill, experience, and efficiency of the attorneys involved; (iv) the risky nature of this litigation; (v) the amount of time devoted to the case by counsel; (vi) awards in similar cases; (vii) public policy; and (viii) the reaction of the class.

4. The Court has confirmed the reasonableness of the fee request by conducting a lodestar cross-check. The Court finds that Plaintiffs' Counsels' reasonable lodestar was \$18,454,832.25 based on 44,480 hours of work billed at historic hourly rates. Plaintiffs' Counsels' requested fee award represents approximately 37% of their reasonable lodestar. This negative multiplier obviates any concerns about a windfall for counsel in light of the settlement amount. This further supports the reasonableness of Plaintiffs' Counsels' fee request here.

5. Upon consideration of the Motion and accompanying Declarations and based upon all matters of record including the pleadings and papers filed in this action, the Court hereby finds that the attorneys' fee requested is reasonable and proper.

Accordingly, it is hereby ORDERED and DECREED that:

1. Plaintiffs' Counsel are awarded attorneys' fees of \$6,750,000 (30% of the \$22,500,000 Settlement Fund).

2. The attorneys' fees awarded shall be paid from the Settlement Fund and the interest earned thereon.

3. Lead Counsel will allocate the fees and expenses among Plaintiffs' Counsel in a fair and equitable manner that, in Lead Counsel's good-faith judgment, reflects each firm's contribution to the institution, prosecution, and resolution of the litigation.

4. This order shall be entered of this date pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Court finding that there is no just reason for delay.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Timothy S. Hillman  
United States District Judge