

EXHIBIT 4

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Yvonne Becker, Christopher Nobles, Rosa
Ramirez, Valerie Seyler, and Jannien
Weiner,

Plaintiffs,

vs.

Wells Fargo & Co.; Employee Benefit
Review Committee; Wells Fargo Bank,
National Association, and John and
Jane Does, 1-20,

Defendants.

Case No. 0:20-cv-2016 (KMM/BRT)

**DECLARATION OF
JUNE PINEDA HOIDAL IN
SUPPORT OF PLAINTIFFS'
MOTION FOR FINAL APPROVAL
OF SETTLEMENT AND
PLAINTIFF'S MOTION FOR
ATTORNEYS' FEES, EXPENSE
REIMBURSEMENT, SETTLEMENT
ADMINISTRATION EXPENSES,
AND CLASS CONTRIBUTION
AWARDS**

CLASS ACTION

I, June Pineda Hoidal, respectfully submit this Declaration in Support of: (1) Plaintiffs' Motion for Final Approval of Class Action Settlement, and (2) Plaintiff's Motion for Attorneys' Fees, Expense Reimbursement, Settlement Administration Expenses, and Class Contribution Awards. This Settlement,¹ if approved by the Court, will resolve this class action in its entirety. Pursuant to 28 U.S.C. § 1746, I declare as follows:

1. I am a Partner with the law firm Zimmerman Reed LLP and am admitted to practice before the state courts of Minnesota and the United States District Court for the District of Minnesota. My firm, Zimmerman Reed, was appointed Class Counsel alongside

¹ Capitalized terms not otherwise defined in this Declaration shall have the same meaning ascribed to them in the Class Action Settlement Agreement & Release ("Settlement Agreement"). (ECF No. 248-1).

Cohen Milstein Sellers & Toll PLLC and Keller Rohrback LLP. I make these statements based on personal knowledge and would so testify if called as a witness.

2. Zimmerman Reed was founded in 1983 and has been recognized nationally as a leader in complex multi-district and class action litigation. The firm has been appointed to leadership positions in complex cases in federal and state courts across the country. Zimmerman Reed represents individuals in the areas of mass tort, consumer fraud, financial fraud, ERISA violations, and employment law, as well as states' attorneys general and public entities. Zimmerman Reed has also litigated numerous class actions to resolution in this District, including *City of Farmington Hills Employees Retirement Sys. v. Wells Fargo Bank, N.A.*, No. 10-cv-4372 (D. Minn); *In re CenturyLink Sales Practices & Securities Litig.*, No. 17-md-02795 (D. Minn); and *Soular v. Northern Tier Energy, LP*, No. 15-cv-00556 (D. Minn.). Most recently, Zimmerman Reed's public client practice has litigated cases stemming from the opioid crisis and proliferation of electronic nicotine delivery systems. In addition to its Minneapolis headquarters, the firm maintains offices in Los Angeles and Phoenix.

3. I am the lead partner from Zimmerman Reed in this action and the co-chair of the firm's Public Client practice group. I bring a depth of experience representing individuals who suffer losses as a result of securities, consumer protection, and antitrust violations, including previously securing a settlement for investors alleging losses due to Wells Fargo's securities lending program.

4. Zimmerman Reed's firm resume was previously filed with the court on April 1, 2022, in support of Plaintiff's Preliminary Approval papers. *See* ECF No. 248-6.

5. After this Action was transferred to the District of Minnesota, Lead Counsel, Michelle Yau, asked my firm and me to act as local counsel and co-counsel in this Action. My firm has worked with Michelle Yau and Cohen Milstein in a number of class actions and other complex cases, including in this District. *See, e.g., Adedipe v. U.S. Bank, N.A.*, No. 13-cv-2687 (D. Minn.).

6. In this action, my firm provided legal services to Plaintiff Becker and the then-putative class, including reviewing and/or editing the Amended Complaint and the Second Amended Complaint, and Plaintiff's Opposition to Defendants' Motion to Dismiss. We also provided guidance regarding local rules and procedures; engaged in formal discovery and third party subpoenas; designed, implemented, and oversaw the review of documents; drafted, reviewed and edited non-dispositive briefs and pleadings; assisted in meet and confers with Defendants and third parties; and participated in the mediation session that resolved the case.

7. In total and as shown below, Zimmerman Reed has expended \$1,340,232.50 in professional services for the work done in this case from September 28, 2020 to June 27, 2022. Zimmerman Reed derived this value by using the "lodestar" methodology, under which "the hours expended by an attorney are multiplied by a reasonable hourly rate of compensation so as to produce a fee amount." *In re Life Time Fitness, Inc., Tel. Consumer Prot. Act (TCPA) Litig.*, 847 F.3d 619, 622 (8th Cir. 2017). Zimmerman Reed applied its current published rates to all hours expended in the case, as follows:

Name	Title	Hours	Rate	Lodestar
June P. Hoidal	Partner	368.6	\$850.00	\$313,310.00
David M. Cialkowski	Partner	8.0	\$900.00	\$7,200.00
Anna E. Jenks	Associate	441.0	\$700.00	\$308,700.00
Charles R. Toomajian	Associate	387.9	\$625.00	\$242,437.50
C. Richard Hansen	Associate	16.2	\$625.00	\$10,125.00
Stephanie D. Long	Attorney	413.0	\$425.00	\$175,525.00
Joseph D. Price	Attorney	402.2	\$425.00	\$170,935.00
Julianne Van Norman	Paralegal	273.1	\$350.00	\$95,585.00
Karen Colt	Paralegal	46.9	\$350.00	\$16,415.00
TOTAL		2,356.9		\$1,340,232.50

8. These hourly rates shown above are Zimmerman Reed’s current published billing rates, and are the usual and customary hourly rates charged by Zimmerman Reed in comparable contingency class and complex litigation. These rates are consistent with those that are charged by class action counsel in similarly complex cases, and that are accepted as reasonable by courts in this District for purposes of “cross-checking” lodestar against a proposed fee based on the percentage of the fund method. *See In re: CenturyLink Sales Practices & Sec. Litig.*, No. 17-md-2795 (MJD/KMM), 2020 WL 7133805, at *13 (D.

Minn. Dec. 4, 2020) (finding that rates of \$450–\$895 “appear reasonable in this District” in granting Zimmerman Reed’s motion for attorneys’ fees).

9. Zimmerman Reed’s lodestar reflects the firm’s experience in complex litigation, the complexity of the matters involved in this litigation, the skill and thoroughness with which opposing counsel litigated this case, and the prevailing rate for providing such services.

10. Zimmerman Reed made every effort to litigate this case efficiently by assigning tasks to timekeepers commensurate with their level of experience and to avoid duplication of effort. Assignments were made to ensure that associates and less senior attorneys handled a majority of tasks such as those arising out of discovery disputes, initial drafts of briefings, third party subpoenas, and coordination of document review, while more senior attorneys handled issues regarding case management, interactions with the Court, settlement, and dispositive motions, as well as revising and editing drafts of briefings.

11. Through the firm’s experience handling complex litigation against sophisticated defendants, including cases in this District and those involving similar claims, Zimmerman Reed was aware at the time that it agreed to take on this litigation that there was a significant chance that Class Counsel might invest a substantial amount of time and expense, but recover nothing.

12. Zimmerman Reed also expended a total of \$10,114.03 in necessary expenses in the litigation of this matter, which have been invoiced and recorded in our accounting

system through June 27, 2022. The expenses, as detailed below, are the type of expenses that are routinely charged to and paid by fee-paying clients.

Description of Expense	Amount
Document copying and audio/video duplication services	\$2,049.60
Phone and conferencing costs	\$0.00
Postage / air courier / local courier	\$140.50
Court fees	\$800.00
Process server (third party subpoenas)	\$410.00
Deposition-related fees and costs	\$254.95
Westlaw, Bloomberg Law, PACER, and other online research	\$6,458.98
Travel (airfare, ground travel, meals, lodging)	\$0.00
Database hosting and processing / vendor costs	\$0.00
Overtime meals and local travel	\$0.00
TOTAL	\$10,114.03

13. I have reviewed the time and expenses reported by my firm in this case that are included in this declaration, and I affirm that they are true and accurate to the best of my knowledge.

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

Executed on June 30, 2022 in Minneapolis, Minnesota.

By: /s/ June Pineda Hoidal

June Pineda Hoidal

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