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18 *Lead Plaintiffs' Counsel*

19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**
SAN JOSE DIVISION

21 **IN RE ANTHEM, INC. DATA BREACH**
22 **LITIGATION**

Case No: 15-md-02617-LHK (NC)

23 **PLAINTIFFS' NOTICE OF MOTION AND**
24 **MOTION FOR ATTORNEYS' FEES,**
LITIGATION EXPENSES, AND SERVICE
25 **AWARDS TO CLASS REPRESENTATIVES**

26 Date: February 1, 2018
Time: 1:30 p.m.
Judge: Hon. Lucy H. Koh
27 Crtrm: 8, 4th Floor

1 **NOTICE OF MOTION AND MOTION**

2 TO DEFENDANTS AND THEIR COUNSEL OF RECORD:

3 PLEASE TAKE NOTICE that, pursuant to this Court's August 25, 2017 Order Granting
4 Motion for Preliminary Approval of Class Action Settlement, Plaintiffs will and hereby do move the
5 Court to award Plaintiffs' Counsel \$37,950,000 in attorneys' fees, \$1,999,637.77 in costs and
6 expenses, and a reserve of \$60,000 for future expert costs. Plaintiffs will update the expense
7 reimbursement request with their reply brief. Plaintiffs also move the Court for an award of \$5,000
8 service payments to Settlement Class Representatives whose computers were not forensically
9 imaged, and for an award of \$7,500 service payments to Settlement Class Representatives whose
10 computers were forensically imaged. Hearing on this motion will be held on February 1, 2018, at
11 1:30 p.m. in the Courtroom of the Honorable Lucy H. Koh, located at the Robert F. Peckham Federal
12 Building & United States Courthouse, 280 South First Street, Fourth Floor, San Jose, California.

13 This motion is made on the grounds that the requested common fund fee award is fair,
14 reasonable, and appropriate as verified by the percentage of recovery requested and the lodestar
15 crosscheck. The requested amount represents 33% or less of the value of the settlement fund, and a
16 minimal multiplier on Plaintiffs' Counsel's lodestar to date, which is \$37,832,349. In addition, the
17 costs and expenses for which Plaintiffs' Counsel seek reimbursement were reasonable and necessary
18 to the litigation and were incurred for the benefit of the class. The service awards are reasonable and
19 appropriate compensation for the work the Settlement Class Representatives did on behalf of the
20 class.

21 This Motion is based on this Notice of Motion and Motion; the attached Memorandum of
22 Points and Authorities; the supporting declarations of Eve H. Cervantez, Andrew N. Friedman,
23 Michael W. Sobol, Eric Gibbs and Jay Geraci, and the attachments to those declarations; the
24 pleadings, records, and papers on file in this action; and all other matter properly before this Court.

25 Respectfully submitted,

26 **ALTSHULER BERZON LLP**

27 Dated: December 1, 2017

By: /s/ Eve Cervantez

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