

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JADYN NEWMAN, individually and on
behalf of classes of similarly situated
individuals,

Plaintiffs,

v.

AUDIENCEVIEW TICKETING
CORPORATION and
UNIVERSITYTICKETS.COM, INC.,

Defendants.

Case No.: 1:23-cv-03764-VEC

RICHARD Z. TOLEDO, individually and on
behalf of classes of similarly situated
individuals,

Plaintiffs,

v.

AUDIENCEVIEW TICKETING
CORPORATION and
UNIVERSITYTICKETS.COM, INC.,

Defendants.

**NOTICE OF CLASS COUNSEL'S MOTION FOR ATTORNEYS' FEES
REIMBURSEMENT OF LITIGATION EXPENSES, AND CLASS REPRESENTATIVE
SERVICE AWARDS**

TO: All Counsel of Record

PLEASE TAKE NOTICE that pursuant to Rule 23(h) of the Federal Rules of Civil Procedure, and in accordance with this Court's Order Granting Preliminary Approval of Class Action Settlement dated October 31, 2024 (ECF No. 74), Class Counsel Bradley Grombacher LLP and Glancy Prongay & Murray LLP, hereby move this Court, before the Honorable Valerie E.

Caproni, at the United States District Court for the Southern District of New York, for entry of an Order:

1. Awarding Class Counsel attorneys' fees and expenses in the amount of \$130,500, representing 30% of the \$435,000.00 non-reversionary Settlement Fund;

2. Awarding Class Representative Service Awards in the amount of \$3,500.00 each to Plaintiffs Jady Newnman and Richard Toledo, to be payable from the Settlement Fund, in recognition of their time, effort, and substantial contributions to the litigation and settlement of this matter.

This Motion is made on the grounds that Class Counsel have achieved an excellent result for the Settlement Class in this complex data breach litigation, despite significant risks of litigation, and that the requested attorneys' fees, litigation expenses, and service awards are fair, reasonable, and supported by established law. The requested fees are consistent with the percentage-of-the-fund method commonly applied in the Second Circuit and fall well within the range of reasonable awards in similar cases. The requested service awards are modest and commensurate with the time and efforts that Plaintiffs dedicated to representing the Class.

This Motion is based on:

1. The Memorandum of Law in Support of Class Counsel's Motion for Attorneys' Fees, Reimbursement of Litigation Expenses, and Class Representative Service Awards;

2. The Declaration of Kiley Grombacher, which details Class Counsel's time, efforts, and incurred expenses;

3. The Declaration of Brian Murray, which provides additional support regarding the reasonableness of the requested fees and expenses;

4. The Settlement Agreement and its exhibits, preliminarily approved by the Court (ECF No. 70-2);

5. The procedural history of this case, including the extensive litigation, settlement negotiations, and mediation efforts;

6. The declarations and exhibits filed in support of the Settlement and this Motion; and

7. Any other papers, evidence, and arguments that may be presented to the Court at or before the hearing on this Motion.

A proposed Order granting the requested relief is submitted herein.

Dated: December 30, 2024

GLANCY PRONGAY & MURRAY LLP

/s/ Brian P. Murray

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

<p>JADYN NEWMAN, individually and on behalf of classes of similarly situated individuals,</p> <p>Plaintiffs,</p> <p>v.</p> <p>AUDIENCEVIEW TICKETING CORPORATION and UNIVERSITYTICKETS.COM, INC.,</p> <p>Defendants.</p>	<p>Case No.: 1:23-cv-03764-VEC</p>
<p>RICHARD Z. TOLEDO, individually and on behalf of classes of similarly situated individuals,</p> <p>Plaintiffs,</p> <p>v.</p> <p>AUDIENCEVIEW TICKETING CORPORATION and UNIVERSITYTICKETS.COM, INC.,</p> <p>Defendants.</p>	

[PROPOSED] ORDER GRANTING CLASS COUNSEL’S MOTION FOR ATTORNEYS’ FEES, REIMBURSEMENT OF LITIGATION EXPENSES, AND CLASS REPRESENTATIVE SERVICE AWARDS

Upon consideration of Class Counsel’s Motion for Attorneys’ Fees, Reimbursement of Litigation Expenses, and Class Representative Service Awards (the “Motion”), the Memorandum of Law in support thereof, the declarations submitted in support of the Motion, and all other papers filed in connection with the Motion, and for good cause shown, the Court hereby ORDERS:

1. Class Counsel are awarded attorneys' fees and reimbursement of expenses in the amount of \$130,500.00, representing 30% of the \$435,000.00 non-reversionary Settlement Fund. The Court finds that this fee award is fair and reasonable under the percentage-of-the-fund method commonly applied in the Second Circuit and is supported by the results achieved, the risks of litigation, and the time and resources invested by Class Counsel.

2. The Court approves Class Representative Service Awards in the amount of \$3,500.00 each to Plaintiffs Jady Newman and Richard Toledo, to be payable from the Settlement Fund. These awards recognize their time, effort, and contributions to the litigation and settlement of this matter. The Court finds that these awards are modest and appropriate under the circumstances.

3. The Court finds that the requested attorneys' fees, litigation expenses, and service awards are fair and reasonable; the attorneys' fees and litigation expenses are consistent with the applicable legal standards and are within the range of reasonableness for complex class action litigation; and the service awards fairly compensate the Class Representatives for their dedication and contributions to this case.

4. The amounts awarded herein shall be paid from the Settlement Fund in accordance with the terms of the Settlement Agreement and this Court's Order Granting Final Approval.

IT IS SO ORDERED.

Dated: _____

The Honorable Valerie E. Caproni
United States District Judge