

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

BARBARA JANE FRECK, GLORIA)
ROBINSON, JALEEZA OWENS, LYNN)
MUSERELLI, PAUL CAPELLO, JIM)
HELTON, and JOSHUA CLARK)
individually and on behalf of all others)
similarly situated,) Civil Action
) No. 4:20-cv-00043-BCW
)
Plaintiffs,)
)
v.)
)
CERNER CORPORATION, et al.,)
)
Defendants.)

**PLAINTIFFS' MOTION FOR AN AWARD OF ATTORNEYS' FEES AND
REIMBURSEMENT OF EXPENSES AND CASE CONTRIBUTION AWARDS TO THE
NAMED PLAINTIFFS**

Named Plaintiffs Barbara Jane Freck, Gloria Robinson, Jaleeza Owens, Lynn Muserelli, Paul Capello, Jim Helton, and Joshua Clark (collectively, "Plaintiffs"), participants in the Cerner Corporation Foundations Retirement Plan (the "Plan"), by and through their undersigned counsel, hereby respectfully move this Court, pursuant to FED. R. CIV. P. 23, for an Order:

1. Granting class counsel attorneys' fees in the amount of \$1,349,865.00 which represents 33 1/3% of the settlement amount;
2. Directing reimbursement to Class Counsel in the amount of \$34,117.55 for expenses incurred in the prosecution of the action;
3. Awarding case contribution awards of \$12,000.00 for Plaintiff Joshua Clark and \$10,000 to each of the Plaintiffs Barbara Jane Freck, Gloria Robinson, Jaleeza Owens, Lynn Muserelli, Paul Capello, and Jim Helton; and
4. For such other relief as the Court may deem just and proper.

A proposed form of Order is submitted hereto.

The grounds for this Motion are set forth in the following documents filed contemporaneously herewith:

A. Suggestions in Support of Plaintiffs' Motion For Award of Attorneys' Fees and Reimbursement of Expenses, and Case Contribution Awards to the Named Plaintiffs;

B. Declaration of Mark K. Gyandoh in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs;

C. Declaration of Scott C. Nehrbass in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs;

D. Declaration of Kristie Blunt Welder in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs;

E. Declaration of Barbara Jane Freck in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs;

F. Declaration of Gloria Robinson in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs;

G. Declaration of Jaleeza Owens in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs;

H. Declaration of Lynn Muserelli in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs;

I. Declaration of Paul Capello in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs;

J. Declaration of Jim Helton in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs; and

K. Declaration of Joshua Clark in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs.

DATED: June 18, 2021

Respectfully submitted,

CAPOZZI ADLER, P.C.

/s/ Mark K. Gyandoh

Mark K. Gyandoh

(admitted *pro hac vice*)

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Proposed Class Counsel

CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2021 a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

By: /s/ Mark K. Gyandoh
Mark K. Gyandoh