

Exhibit

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**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

IN RE: CAPITAL ONE CONSUMER) MDL No. 1:19md2915 (AJT/JFA)
DATA SECURITY BREACH LITIGATION)
)
) JURY TRIAL DEMANDED

This Document Relates to the Consumer Cases

**CLASS COUNSEL KAREN HANSON RIEBEL'S SUPPLEMENTAL DECLARATION
IN SUPPORT OF MOTION FOR ATTORNEYS' FEES, COSTS,
EXPENSES AND SERVICE AWARDS**

Karen Hanson Riebel declares as follows:

1. I, along with John A. Yanchunis and Norman E. Siegel, was appointed by this Court to serve as Co-Lead Counsel for the Consumer Plaintiffs and Interim Class Counsel in the above-captioned MDL. I make this supplemental declaration in support of Plaintiffs' Motion for Attorneys' Fees, Costs, Expenses and Service Awards. Doc. 2230. I have personal knowledge of all the matters addressed in this Supplemental Declaration.

2. This Declaration supplements Class Counsel's Consolidated Declaration in Support of Motion for Attorneys' Fees, Costs, Expenses and Service Awards. ("Consolidated Decl.") Doc. 2231-1. Since the filing of the Consolidated Declaration, Class Counsel and three other non-lead firms have continued to work to effectuate the Settlement, primarily assisting Plaintiffs and Settlement Class Members with claim filing, addressing the handful of objections to the Settlement, and preparing documentation in support of Plaintiffs' Motion for Final Approval. In addition, Class Counsel have worked closely with the Claims Administrator and Defense Counsel to ensure that all Notice and Claim procedures have run smoothly. These efforts included sending

Supplemental Notice to a small subset of Settlement Class Members as detailed in paragraphs 11-12 of the Declaration of Cameron R. Azari, Esq. on Implementation and Adequacy of Notice Plan, filed as Exhibit 1 to Plaintiffs' Memorandum in Support of Motion for Final Approval of Class Action Settlement ("Motion for Final Approval"), filed contemporaneously herewith. *See also* Order dated July 15, 2022. Doc. 2245.

3. As detailed in the Consolidated Declaration, through May 31, 2022, Class Counsel had devoted 64,739.3 hours to prosecuting this case, resulting in a total lodestar of \$37,640,583.50. Since that time, Class Counsel has devoted additional time to representing the Settlement Class, and three law firms reported additional, valid time for the month of May 2022 to Co-Lead Counsel. Through August 24, 2022, Class Counsel has devoted an additional 669.70 hours, resulting in an updated total lodestar of \$38,163,226.00. These new totals are detailed in the attached updated chart reflecting the lodestar for each firm (firms with new hour and lodestar totals are highlighted in grey) (Ex. A). Again, all additional time and expense submissions were reviewed by at least two attorneys from different Co-Lead firms, including Co-Lead Counsel's additional time and expense.¹

4. Considering Class Counsel's updated lodestar of \$38,163,226.00, 33.3% of the Settlement Fund would result in a fee award of \$63,270,000.00, which would reflect a current multiplier of 1.66. Such a multiplier is well within accepted ranges for class actions generally, and is consistent with ranges approved in similar cases within the Fourth Circuit. Further, the lodestar figure above does not include the substantial amount of time that Class Counsel will be required to devote to continuing to oversee the claims administration process and the distribution of

¹ As in Class Counsel's previous submission, we conservatively applied rates in place as of 2021 rather than current 2022 rates.

settlement funds to the Class, and to litigating any appeals. These additional hours, for which Class Counsel will not receive any additional compensation from the Settlement Fund, effectively reduce the multiplier, and should be considered in evaluating the reasonableness of the fee request.

5. Since the end of May 2022, Class Counsel has incurred additional modest expenses, and now respectfully requests reimbursement of reasonable and necessary litigation costs and expenses in the amount of \$2,345,821.98. (Class Counsel's previous request for reimbursement totaled \$2,325,516.11). Like the time submission process discussed above, all expenses incurred since May 2022 were reviewed by Class Counsel to ensure conformity with the billing protocol, and all expenses incurred were reasonable and necessary, and expended in furtherance of the litigation.

6. Class Counsel's costs and expenses are summarized in Exhibit A, with categories reflecting additional expenses highlighted in grey. All are the same costs that Counsel would normally charge a monthly-paying client billed hourly. Accordingly, Class Counsel requests the reimbursement of \$2,345,821.98 in expenses from the Settlement Fund.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed this 29th day of August, 2022.

/s/ Karen Hanson Riebel
Karen Hanson Riebel

Exhibit

A

FIRM	BILLER	HOURS	HOURLY RATE	LODESTAR
Lockridge Grindal Nauen	Amber Raak	590.50	\$325	\$191,912.50
	Andrea Pittel	1,251.50	\$377	\$471,815.50
	Arielle Wagner	75.50	\$377	\$28,463.50
	Arielle Wagner	18.00	\$625	\$11,250.00
	Carey Johnson	633.90	\$325	\$206,017.50
	Craig Davis	11.90	\$725	\$8,627.50
	Elizabeth Odette	0.50	\$650	\$325.00
	Erik Allerson	20.40	\$250	\$5,100.00
	Eura Chang	2.30	\$250	\$575.00
	Gregg Fishbein	385.50	\$950	\$366,225.00
	Gregory Myers	27.30	\$900	\$24,570.00
	Heather Potteiger	2.00	\$325	\$650.00
	Jacob Saufley	185.20	\$600	\$111,120.00
	Joseph Bourne	106.20	\$750	\$79,650.00
	Karen Riebel	3,081.70	\$950	\$2,927,615.00
	Kate Baxter-Kauf	823.90	\$800	\$659,120.00
	Kevin Ravenscroft	757.10	\$377	\$285,426.70
	Krista Freier	30.50	\$650	\$19,825.00
	Kristen Marttila	214.60	\$850	\$182,410.00
	Kristin Condon	8.30	\$425	\$3,527.50
	Mallory Harrington	23.50	\$250	\$5,875.00
	Maureen Kane Berg	4,108.50	\$750	\$3,081,375.00
	Megan Van Dyke	22.50	\$425	\$9,562.50
	Michael Winston	1,402.30	\$377	\$528,667.10
	Richard Lockridge	1.00	\$1,050	\$1,050.00
	Sarah Lundberg	1,610.50	\$377	\$607,158.50
	Sarah Lundberg	142.70	\$425	\$60,647.50
	Stephanie Chen	50.10	\$377	\$18,887.70
	Stephanie Chen	19.50	\$600	\$11,700.00
	Stephen Owen	80.00	\$600	\$48,000.00
		15,687.40		\$9,957,149.00

FIRM	BILLER	HOURS	HOURLY RATE	LODESTAR
	Alex Antonio	702.30	\$377	\$264,767.10
	Alysha Dean	2.50	\$381	\$952.50
	Andre Ducote	50.20	\$377	\$18,925.40
	Andrea Carbone	14.70	\$202	\$2,969.40
	Angela Mirabole	379.20	\$377	\$142,958.40
	Arnold Ashley	870.70	\$377	\$328,253.90
	Brian Brownsell	22.80	\$250	\$5,700.00
	Brian Brownsell	40.60	\$377	\$15,306.20
	Caran Smith	515.80	\$377	\$194,456.60
	Christina Romero	11.60	\$381	\$4,419.60
	David Morse	1,385.90	\$377	\$522,484.30
	David Reign	107.30	\$300	\$32,190.00
	Dustin Gomez	156.20	\$377	\$58,887.40
	Elisha Harvey	336.30	\$377	\$126,785.10
	Emily Reynolds	3.50	\$250	\$875.00
	Emily Reynolds	759.40	\$377	\$286,293.80
	Federic Nguyen	103.90	\$377	\$39,170.30
	Francesca Kester	194.20	\$468	\$90,885.60
	Hanna Fujimaki	374.50	\$377	\$141,186.50
	Hope Whalen	23.20	\$381	\$8,839.20
	Jean Martin	509.60	\$919	\$468,322.40
	Jennifer Cabezas	325.20	\$208	\$67,641.60
	Jennifer Miller	1.00	\$202	\$202.00
	John Yanchunis	2,971.50	\$950	\$2,822,925.00
	Justin Tomlinson	274.50	\$377	\$103,486.50
	Karthik Murthy	95.70	\$377	\$36,078.90
	Kenya Reddy	606.20	\$919	\$557,097.80
	Kerry Marinelli	247.20	\$377	\$93,194.40
	Kim Mason	519.40	\$377	\$195,813.80
	Lee Walters	68.30	\$300	\$20,490.00
	Lynn Billings	6.50	\$250	\$1,625.00
	Marcio Valladares	237.30	\$864	\$205,027.20
	Marie Appel	103.30	\$785	\$81,090.50
	Michael Braun	0.10	\$894	\$89.40
	Michael Ram	205.60	\$950	\$195,320.00
	Nicolette Best	779.90	\$377	\$294,022.30
	Patrick Barthle	2,685.30	\$676	\$1,815,262.80
	Quinn Stine	520.70	\$377	\$196,303.90
	Ra Amen	378.70	\$377	\$142,769.90
	Ra Amen	1,719.60	\$468	\$804,772.80
	Ryan McGee	115.90	\$764	\$88,547.60
	Ryan Maxey	94.90	\$377	\$35,777.30
	Ryan Maxey	959.00	\$764	\$732,676.00
	Sara Johnson	25.00	\$377	\$9,425.00
	Shawn Jarecki	1,048.40	\$377	\$395,246.80
	Stacy Kirven	259.30	\$377	\$97,756.10
	Stephen Bott	533.50	\$377	\$201,129.50
	Tim Ross	392.50	\$377	\$147,972.50
	Todd Hauser	350.70	\$377	\$132,213.90
	Todd Scholl	75.00	\$250	\$18,750.00
	Todd Scholl	444.50	\$377	\$167,576.50
	Tom Cruz	266.90	\$377	\$100,621.30
	Valerie Wagner	0.30	\$225	\$67.50
Morgan & Morgan		22,876.30		\$12,515,602.50

FIRM	BILLER	HOURS	HOURLY RATE	LODESTAR
Stueve Siegel Hanson	Maragret Brulez	103.90	\$275	\$28,572.50
	Michelle Campbell	705.80	\$315	\$222,327.00
	Katrina Cervantes	8.00	\$275	\$2,200.00
	Crystal Cook	3.80	\$625	\$2,375.00
	Bria Davis	21.30	\$450	\$9,585.00
	Jillian Dent	2,254.70	\$595	\$1,341,546.50
	Tanner Edwards	74.50	\$475	\$35,387.50
	David Hickey	217.70	\$377	\$82,072.90
	David Hickey	678.40	\$625	\$424,000.00
	Rachel Kenney	419.50	\$377	\$158,151.50
	Mary Rose Marquart	20.90	\$315	\$6,583.50
	Kate Marshall	914.00	\$377	\$344,578.00
	Abby McClellan	6.40	\$377	\$2,412.80
	Ross Merrill	12.00	\$525	\$6,300.00
	Austin Moore	18.40	\$745	\$13,708.00
	Michael Owens	259.20	\$550	\$142,560.00
	Cheri Perez	70.40	\$275	\$19,360.00
	Lindsay Perkins	1,467.90	\$745	\$1,093,585.50
	Vong Phommachanh	12.20	\$300	\$3,660.00
	Lynnette Siegel	110.60	\$377	\$41,696.20
	Lynnette Siegel	417.90	\$495	\$206,860.50
	Norman Siegel	2,369.30	\$1,025	\$2,428,532.50
	Stephen Six	630.10	\$985	\$620,648.50
	Charla Smith	330.30	\$377	\$124,523.10
	Emily Smith	167.50	\$377	\$63,147.50
	Emily Smith	157.40	\$450	\$70,830.00
	Brandi Spates	2.80	\$475	\$1,330.00
	Benjamin Stueve	48.00	\$525	\$25,200.00
	Barrett Vahle	2,471.20	\$875	\$2,162,300.00
	Caleb Wagner	73.60	\$525	\$38,640.00
Stephanie Walters	16.40	\$377	\$6,182.80	
Stephanie Walters	1,824.60	\$725	\$1,322,835.00	
Sheri Williams	45.50	\$250	\$11,375.00	
		15,934.20		\$11,063,066.80
Webster Book	Steven Webster	341.00	\$650	\$221,650.00
		341.00		\$221,650.00
CO-LEAD FIRMS & LOCAL COUNSEL TOTALS		54,838.90		\$33,757,468.30

NON-LEAD FIRMS	TOTAL HOURS	TOTAL LODESTAR
Abington Cole & Ellery	5.20	\$3,380.00
Ademi & O'Reilly, LLP	5.30	\$2,875.00
Badgley Mullins Turner PLLC	0.00	\$0.00
Barbuto & Johansson	3.90	\$2,921.10
Barnow & Associates	47.20	\$28,672.50
Barrack Rodos Bacine	11.90	\$8,145.00
Beasley Allen	30.20	\$8,055.00
Berger Montague	1,225.10	\$575,527.80
Bleichmar Fonti & Auld	8.80	\$7,213.50
Blood Hurst & O'Reardon	8.10	\$3,946.00
Bragar Eigel & Squire	27.70	\$20,220.00
Breit Cantor Grana Buckner	4.00	\$2,200.00
Cafferty Clobes Meriwether & Sprengel	28.40	\$17,062.50
Capstone Law	95.60	\$35,532.00
Chestnut Cambronne	0.00	\$0.00
Clinton & Peed	0.00	\$0.00
Cohen & Malad	27.90	\$14,507.50
Cohen Milstein	2.80	\$1,295.00
DiCello Levitt Gutzler	3.70	\$2,775.00
Edelson & Associates	0.00	\$0.00
Emerson Firm	140.40	\$110,092.00
Feinstein Doyle Payne & Kravec	36.20	\$16,465.00
Fine Kaplan and Black	7.60	\$4,573.00
Foulston Siefkin	20.20	\$7,981.50
Franklin D. Azar & Assocaites	100.20	\$48,642.50
Geoff McDonald & Associates	0.00	\$0.00
Gibbs Law Group	109.20	\$58,896.00
Glancy Prongay & Murray	3,043.90	\$1,147,834.30
Goldman Scarlato & Penny	4.60	\$3,335.00
Golomb Spirt Grunfeld Golomb & Honik	23.00	\$12,650.00
Grabar Law Office	369.30	\$140,092.50
Grenier Law Group	0.00	\$0.00
Hagens Berman Sobol Shapiro	833.50	\$318,096.90
Hausfeld	0.00	\$0.00
Hellmuth & Johnson	29.10	\$23,937.00
Heninger Garrison Davis	31.60	\$12,072.20
Herman Jones	21.00	\$15,247.00
Kantrowitz Goldhamer & Graifman	33.50	\$29,647.50
Karon LLC	15.50	\$9,924.50
Kelly Guzzo	71.40	\$23,207.50
Kessler Topaz Meltzer Check	14.40	\$7,389.00
Kohn Swift	0.00	\$0.00
Levin Sedran & Berman LLP	996.80	\$376,459.20
Lukins & Annis Attorneys	0.00	\$0.00

NON-LEAD FIRMS	TOTAL HOURS	TOTAL LODESTAR
Mason Lietz & Klinger Whitfield Bryson & Mason	407.00	\$140,125.50
Milberg Phillips Grossman	0.00	\$0.00
Nussbaum Law Group	10.60	\$8,961.50
Podolsky Law Offices	0.00	\$0.00
Shub Law Group	136.00	\$51,725.00
Spector Roseman & Kodroff	8.40	\$4,978.00
Stull Stull & Brody	63.30	\$52,988.00
Terrell Marshall Law Group	0.10	\$72.50
The Consumer Law Group	0.00	\$0.00
The Consumer Protection Firm	384.80	\$145,069.60
The Grant Law Firm	39.20	\$29,400.00
The Law Offices of Dale W. Pittman	1.00	\$375.00
The Vernia Law Firm	0.00	\$0.00
Tousley Brain Stephens	2.70	\$1,260.50
Tycko & Zavareci	1,945.00	\$799,593.10
Vita Law Offices	6.20	\$4,030.00
Walsh	23.80	\$15,440.00
Wolf Haldenstein	6.10	\$5,559.00
Ziegler Diamond Law Law Office of Michael A. Ziegler	30.80	\$9,520.00
Zimmerman Reed	67.90	\$35,789.50
Zwerling Schachter & Zwerling	0.00	\$0.00
NON-LEAD FIRMS TOTALS	10,570.10	\$4,405,757.70
GRAND TOTALS	65,409.00	\$38,163,226.00

CATEGORY	TOTAL EXPENSES
Copies/Printing	\$40,783.99
Deposition	\$195,983.06
ESI Processing & Hosting	\$293,323.09
Experts	\$1,379,395.16
Filing Fee	\$14,971.00
Hearing Transcripts	\$4,751.60
Mediation	\$20,035.00
Postage/FedEx/UPS	\$6,811.75
Research (Pacer/Westlaw)	\$260,335.89
Service/Courier	\$12,886.46
Telephone/Fax	\$1,053.63
Travel (Transportation/Meals/Hotel)	\$111,796.24
Misc.	\$3,695.11
TOTAL	\$2,345,821.98