

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

*In re Laboratory Services Cooperative Data
Breach Litigation*

Case No. 2:25-cv-00685-BJR

**DECLARATION OF CECILY C.
JORDAN IN SUPPORT OF CLASS
COUNSEL’S MOTION FOR
ATTORNEYS’ FEES, COSTS, AND
SERVICE AWARDS**

I, Cecily C. Jordan, declare as follows:

1. I am counsel for the Plaintiffs Keefe John and Tori McMillan (“Plaintiffs”) and the Settlement Class in the above-captioned case. This Declaration supports Class Counsel’s Motion for Attorneys’ Fees, Costs, and Service Award. I have personal knowledge of the facts in this declaration and could testify to them if called on to do so.

LITIGATION BACKGROUND AND THE WORK OF CLASS COUNSEL

2. Prior to filing this case, Counsel conducted their pre-suit investigation to ascertain all publicly available details about the cause, scope, and results of the data breach, as well as the damages suffered by the Plaintiffs and the putative class.

3. Additionally, Class Counsel spent time interviewing Plaintiffs to ascertain

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1 whether, and how, their personally identifiable information was collected or received by
2 Defendant Laboratory Services Cooperative (“LSC”) to determine the specific harm suffered
3 by Plaintiffs.

4 4. Following consolidation in May 2026, and filing of the Consolidated Class
5 Action Complaint in July 2026, the Parties agreed to explore early resolution.

6 5. On December 10, 2025, the Parties participated in a formal mediation moderated
7 by Bennett G. Picker. Though the mediation was unsuccessful, it laid the groundwork for
8 further exchange of discovery and information regarding LSC’s finances. Following additional
9 discovery regarding the Data Incident and LSC’s structure and finances, detailed
10 investigations on behalf of the Parties, and extensive further negotiations, the Parties were
11 finally able to agree to a settlement.
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13 6. The Court granted the Plaintiffs’ Motion for Preliminary Approval on July 27,
14 202. *See* Dkt. No. 49.
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16 7. Since preliminary approval was granted, Class Counsel has worked with counsel
17 for Defendant and with the Settlement Administrator, Angeion, to finalize the notice documents
18 and ensure that notice was sent to the Settlement Class consistent with the Preliminary
19 Approval Order. Class Counsel anticipates further involvement with Angeion in the coming
20 months to ensure the successful administration of the settlement for the Class.

21 8. The Settlement has been well-received by the Class. As of the date of filing,
22 Angeion has confirmed that it has received no requests for exclusion and no objections.
23

24 9. Class Counsel have devoted significant time and resources to this case to date,
25 including but not limited to:
26

- a. Conducting an investigation into the facts regarding Plaintiffs' claims and class members' claims;
- b. Coordinating and assigning work;
- c. Researching law relevant to and preparing Plaintiffs' class action complaint;
- d. Preparing detailed and comprehensive informal discovery requests;
- e. Preparing for and attending mediation, including researching and preparing a detailed mediation statement;
- f. Negotiating resolution after mediation concluded;
- g. Negotiating and preparing the Parties' class action settlement agreement, along with the proposed class notice and claim form;
- h. Negotiating with settlement administration companies to secure the best notice plan practicable;
- i. Preparing Plaintiffs' motion for preliminary approval of the class action settlement and preparing a detailed declaration in support;
- j. Working with the Settlement Administrator to ensure the timely completion of notice and processing of claims;
- k. Closely monitoring evolving law regarding data security and its potential impacts on the case; and
- l. Conferring with Plaintiffs throughout the case.

Counsel took efforts to undertake these tasks efficiently and effectively, making every effort to prevent the duplication of work.

PLAINTIFFS' CONTRIBUTION

10. Plaintiffs seek Service Awards in the amount of \$2,500 each in recognition of their time and effort spent pursuing this litigation on behalf of the Class.

11. Throughout the litigation, Plaintiffs served as a representative of the Settlement Class, including maintaining contact with counsel, assisting in the investigation of the case, remaining available for consultation throughout the mediation, reviewing pleadings and the Settlement Agreement, and answering counsel's many questions.

CONTINGENT NATURE OF ACTION

12. Our firms took on this case on a purely contingency basis.

13. This matter has required Class Counsel to spend time on this litigation that could have been spent on other matters. At various times during the litigation of this class action, this lawsuit has consumed significant amounts of time and our firms' resources. That is time spent and invested on behalf of the Settlement Class that could have been spent on less risky cases, where liability or damages were more certain, or where the claims had been advanced by a government investigation or public admissions—none of which was present here.

14. Such time could otherwise have been spent on other fee-generating work. Because we undertook representation of this matter on a contingency fee basis, we shouldered the risk of expending costs and time litigating the action without any monetary gain in the event of an adverse judgment.

15. Further, a successful outcome could only ensue, if at all, after prolonged and arduous litigation, with the attendant risk of drawn-out appeals. Among national consumer protection class action litigation, data breach cases are some of the most complex and involve a still evolving area of law. As such, these cases are particularly risky for plaintiffs' attorneys.

LODESTAR, FEES, AND EXPENSES

16. The regular practice at each of our firms is to maintain contemporaneous time records.

17. I have compiled lodestar records my firm and for the other firms representing Plaintiffs and the Class. Through the time of this Declaration, Plaintiffs' Counsel have worked a total of 1,143.43 hours on this case, incurring fees of \$1,032,673.50. A lodestar breakdown by firm is provided below.

18. We estimate that we will expend an additional 20–30 hours by the close of this action in connection with drafting the final approval motion, preparing for argument at the final approval hearing, and handling administration of the settlement agreement, including responding to class member inquiries and claims administration.

19. Upon request, we can provide detailed contemporaneous records to the Court for *in camera* review.

20. All books and records in this case regarding costs expended were maintained in the ordinary course of business, including expense vouchers and check records. Each firm has reviewed its records of costs expended in this matter.

21. Through the date of this Declaration, Plaintiffs' Counsel have incurred at least \$20,357.12 in reasonable expenses necessary for the litigation, including filing fees, research expenses, and mediation costs. Each firm's expenses are identified below.

Tousley Brain Stephens PLLC

22. Through the date of this Declaration, Tousley Brain Stephens PLLC has worked a total of 187.10 hours on this case, incurring fees of \$175,593.30.

23. Through the date of this Declaration, Tousley Brain Stephens PLLC has

1 incurred \$3,661.03 in reasonable expenses necessary to the litigation.

2 **Cotchett, Pitre & McCarthy, LLP**

3 24. Through the date of this Declaration, Cotchett, Pitre & McCarthy, LLP has
4 worked a total of 264.02 hours on this case, incurring fees of \$260,982.00.

5 25. Through the date of this Declaration, Cotchett, Pitre & McCarthy, LLP has
6 incurred \$14,624.00 in reasonable expenses necessary to the litigation.

7 **Strauss Borrelli PLLC**

8 26. Through the date of this Declaration, Strauss Borrelli PLLC has worked a total
9 of 68.4 hours on this case, incurring fees of \$56,215.00.

10 **Emery Reddy, PLLC**

11 27. Through the date of this Declaration, Emery Reddy, PLLC has worked a total of
12 112.5 hours on this case, incurring fees of \$95,726.70.

13 28. Through the date of this Declaration, Emery Reddy, PLLC has incurred \$405.00
14 in reasonable expenses necessary to the litigation.

15 **Clarkson Law Firm, P.C.**

16 29. Through the date of this Declaration, Clarkson Law Firm, P.C., has worked a
17 total of 170.2 hours on this case, incurring fees of \$175,749.50.

18 30. Through the date of this Declaration, Clarkson Law Firm, P.C. has incurred
19 \$1,209.20 in reasonable expenses necessary to the litigation.

20 **Shub Johns & Holbrook LLP**

21 31. Through the date of this Declaration, Clarkson Law Firm, P.C. has worked a
22 total of 45.01 hours on this case, incurring fees of \$28,060.00.

23 32. Through the date of this Declaration, Clarkson Law Firm, P.C. has incurred

1 \$55.89 in reasonable expenses necessary to the litigation.

2 **Tycko & Zavareei LLP**

3 33. Through the date of this Declaration, Tycko & Zavareei LLP has worked a total
4 of 68.5 hours on this case, incurring fees of \$77,304.50.

5 34. Through the date of this Declaration, Tycko & Zavareei LLP has incurred
6 \$249.00 in reasonable expenses necessary to the litigation.

7 **Hecht Partners LLP**

8 35. Through the date of this Declaration, Hecht Partners LLP has worked a total of
9 144.9 hours on this case, incurring fees of \$95,465.00.

10 36. Through the date of this Declaration, Hecht Partners LLP has incurred \$151.00
11 in reasonable expenses necessary to the litigation.

12 **Almeida Law Group**

13 37. Through the date of this Declaration, Almeida Law Group has worked a total of
14 29.5 hours on this case, incurring fees of \$22,585.10.

15 **Milberg Coleman Bryson Phillips Grossman, PLLC**

16 38. Through the date of this Declaration, Milberg Coleman Bryson Phillips
17 Grossman, PLLC has worked a total of 53.3 hours on this case, incurring fees of \$44,992.40.

18 39. Through the date of this Declaration, Milberg Coleman Bryson Phillips
19 Grossman, PLLC has incurred \$2.00 in reasonable expenses necessary to the litigation.

20 40. Combined, Plaintiffs' Counsel have \$1,032,673.50 in reasonable fees and
21 \$20,357.12 in reasonable expenses, for a combined reasonable cost of \$1,053,030.62. The fee
22 requested by Class Counsel represents a 1.77 multiplier on lodestar, calculated after deducting
23 litigation costs and expenses that will be reimbursed from the total fee award of \$1,830,000.00.
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2 I declare under penalty of perjury that the foregoing is true to the best of my personal
3 knowledge.

4 DATED this 21st day of September, 2026.

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6 Respectfully submitted,

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8 By: s/ Cecily C. Jordan
Cecily C. Jordan, WSBA #50061
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