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On behalf of the Lead Plaintiff Peter Frouws

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

PETER FROUWS, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

ROBERT LYONS; DANIEL BONCEL;
and STEPHEN CUMMING,

Defendants.

No. 2:23-cv-00691-PHX-DJH

CLASS ACTION

**CO-LEAD COUNSEL'S
MOTION FOR ATTORNEYS'
FEES, EXPENSES, AND
AWARD**

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD,
 2 PLEASE TAKE NOTICE that, at the Settlement Hearing to be held on September 14,
 3 2026, at 3:00 p.m. Mountain Time, before the Hon. Diane J. Humetewa, United States
 4 District Judge for the District of Arizona, Sandra Day O'Connor U.S. Courthouse, 401
 5 West Washington Street, SPC 81, Phoenix, AZ 85003, Lead Plaintiff Peter Frouws ("Lead
 6 Plaintiff") and Co-Lead Counsel Scott+Scott Attorneys at Law LLP and Schall, Brown,
 7 & Schwartz LLP ("SBS" formerly The Schall Firm) ("Co-Lead Counsel") will and hereby
 8 do move the Court for an Order approving (i) Co-Lead Counsel's application for an award
 9 of attorneys' fees and litigation expenses and (ii) Lead Plaintiff's application for an award
 10 pursuant to 15 U.S.C. §78u-4(a)(4) (collectively, the "Fee and Expense Application").¹

11 In support of this motion, Lead Plaintiff and Co-Lead Counsel rely on the
 12 accompanying Memorandum of Law; Joint Declaration of William C. Fredericks and
 13 Brian J. Schall in Support of Plaintiff's Motion for Final Approval of Class Action
 14 Settlement and Award of Attorneys' Fees and Expenses ("Joint Decl."); Declaration of
 15 Daryl F. Scott in Support of Co-Lead Counsel's Fee and Expense Application ("Scott
 16 Decl."); Declaration of Brian J. Schall in Support of Plaintiff's Counsel's Fee and Expense
 17 Application ("Schall Decl."); Declaration of Lead Plaintiff Peter Frouws in Support of
 18 Motion for Final Approval of Class Action Settlement and Award Pursuant to 15 U.S.C.
 19 §78u-4(a)(4) ("Frouws Decl."); Declaration of Ann Cavanaugh Regarding Notice
 20 Dissemination, Publication, and Requests for Exclusion Received to Date ("Cavanaugh
 21 Decl."); the pleadings and records on file in this action; and such other matters as the Court
 22 may consider.

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 27 ¹ Unless otherwise indicated, all capitalized terms have their meaning as defined in
 28 the Stipulation and Agreement of Settlement, dated February 11, 2026 (Doc. 80-3) (the
 "Stipulation").

1 Dated: August 14, 2026

Respectfully submitted,
**SCOTT+SCOTT ATTORNEYS AT LAW
LLP**

3 /s/ William C. Fredericks

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17 *Co-Lead Counsel for the Class and Attorneys*
18 *for Lead Plaintiff and Class Representative*
19 *Peter Frouws*