

**IN THE COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY, PENNSYLVANIA**

BARIS ARIN, SKYLAR LESKO, and KIM
LONG, individually and on behalf of all
others similarly situated;

Plaintiff,

v.

RIVERSSET CREDIT UNION; AND BRIAN
HAENZE d/b/a AUTO GALLERY &
ACCESSORIES and as TAG TOWING
AND COLLISION,

Defendants.

CIVIL DIVISION – CLASS ACTION
The Honorable Philip A. Ignelzi

No. GD-18-12065

**PLAINTIFFS' APPLICATION FOR
ATTORNEYS' FEES, COSTS, AND
EXPENSES, INCLUDING THE
COSTS OF SETTLEMENT
ADMINISTRATION, AND
SERVICE AWARDS TO
REPRESENTATIVE PLAINTIFFS**

Filed on behalf of Plaintiffs

Counsel of Record for this Party:

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INCLUDING THE COSTS OF SETTLEMENT ADMINISTRATION, AND SERVICE
AWARDS TO REPRESENTATIVE PLAINTIFFS**

Plaintiffs Baris Arin, Skylar Lesko, and Kim Long (collectively, “Plaintiffs”) respectfully submit this application for: (1) approval of an award of attorneys’ fees, costs, and expenses, including the Costs of Settlement Administration, in the combined amount of \$73,000; and (2) approval of service awards of \$1,250 to each of Plaintiff. In support of their application, Plaintiffs state as follows:

1. Plaintiffs initiated this case against Defendants Riverset Credit Union (“Riverset”) and Brian Haenze d/b/a Auto Gallery & Accessories and as Tag Towing and Collision (“Tag Towing”) on September 18, 2018. (Doc. 1).

2. Riverset thereafter filed Preliminary Objections to the Complaint and Plaintiffs filed the operative Amended Complaint on February 5, 2019, alleging violations of the Pennsylvania Unfair Trade Practices and Consumer Protection Law (“UTPCPL”), 73 Pa. Stat. §§

202-1, *et seq.*, the Pennsylvania Fair Credit Extension Uniformity Act (“PaFCEUA”), 73 Pa. Stat. §§ 2270.1, *et seq.*, and various common law causes of action. (Doc. 5 & 12).

3. On March 15, 2019, Riverset filed Preliminary Objections to the Amended Complaint which were subsequently fully briefed and argued by the Parties, and later overruled by the Court. (Doc. 13 & 18).

4. Riverset answered the Amended Complaint on December 12, 2019, denying Plaintiffs’ asserted claims. (Doc. 23).

5. The Parties engaged in written and oral discovery, and on March 22, 2021, the Court consolidated seven other related cases for discovery purposes in advance of Plaintiffs filing their Motion for Class Certification. (Doc. 37).

6. On or about August 2021, the Parties commenced settlement discussions and on or around March 14, 2022, the Parties reached an agreement regarding the material terms of a settlement, which if approved by the Court, will resolve all claims in the litigation against Riverset.

7. On March 30, 2022, the Court stayed the litigation in order for the Parties to finalize the terms of a settlement. (Doc. 42 & 43).

8. After reaching a settlement in principle, the Parties began negotiating and drafting the written terms of their agreement, which resulted in the completion and execution of a Proposed Class Action Settlement Agreement and Release (“Settlement”), which is attached to Plaintiffs’ Motion for Preliminary Approval as Exhibit A. (Doc. 49).

9. On April 10, 2023, Plaintiffs moved this Court for preliminary approval of the proposed Settlement; conditional class certification; and authorization of notice to Settlement Class Members.¹ (Doc. 49).

10. The Court entered an order granting preliminary approval, conditionally certifying the Settlement Class, and authorizing notice on May 1, 2023. (Doc. 51).

11. Under the Settlement Agreement, Riverset has agreed, subject to Court-approval, to pay (1) up to \$73,000 for Settlement Class Counsel's attorneys' fees, costs, and expenses, including the Costs of Settlement Administration; and (2) up to \$3,750 in service award payments, of \$1,250 to each Plaintiff. The attorneys' fees, costs, and expenses, including the Costs of Settlement Administration, are to be paid separate and apart from Riverset's payment of \$17,000 to establish a Settlement Fund for direct monetary relief to Settlement Class Members and the Settlement Fund will be used to pay Court-approved Service Awards.

12. The relief requested herein should be considered by the Court at the scheduled fairness hearing on October 16, 2023, in conjunction with Plaintiffs' forthcoming Motion for Final Approval of the Settlement, which will be filed by September 15, 2023, and subject to the Court's review of any objections filed by Settlement Class Members.

13. In further support of their application, Plaintiffs refer the Court to their attached brief and the declaration of Co-Class Counsel, Elizabeth Pollock-Avery.

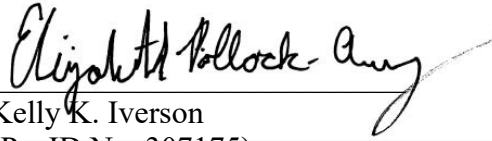
WHEREFORE, Plaintiffs respectfully request that, along with final approval of the Settlement, the Court (1) approve a combined award of \$73,000 to Settlement Class Counsel as

¹ The capitalized terms used in this motion shall be construed according to their meaning as defined in the Settlement except as may otherwise be indicated.

attorneys' fees, costs, and expenses, including the Costs of Settlement Administration; and (2) approve service awards of \$1,250 to each of the Plaintiffs, for a total of \$3,750.

Dated: July 26, 2023

Respectfully submitted,



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CERTIFICATE OF SERVICE


I hereby certify that on July 26, 2023, the foregoing was served by email and/or mail on the following:

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