

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

FRED HANEY, MARSHA MERRILL, SYLVIA RAUSCH, STEPHEN SWENSON, and ALAN WOOTEN, Individually and on Behalf of All Others Similarly Situated,)	Civil Action No. 3:22-cv-00055-REP
)	
Plaintiffs,)	<u>CLASS ACTION</u>
)	
vs.)	
)	
GENWORTH LIFE INSURANCE COMPANY and GENWORTH LIFE INSURANCE COMPANY OF NEW YORK,)	
)	
Defendants.)	

CLASS COUNSEL’S APPLICATION FOR AN AWARD OF ATTORNEYS’ FEES AND EXPENSES AND SERVICE AWARDS TO THE NAMED PLAINTIFFS

Plaintiffs Fred Haney, Marsha Merrill, Sylvia Rausch, Stephen Swenson, and Alan Wooten (“Plaintiffs” and collectively “Named Plaintiffs”) respectfully move the Court for entry of an Order: (i) awarding Class Counsel attorneys’ fees in the amount of a contingent payment of 15% of the cash damages payments made pursuant to the Special Election Options selected by each Class Member, in an amount not to exceed \$13 million, and the payment of litigation expenses of \$39,697.92; and (ii) award the Named Plaintiffs \$15,000 each in connection with their representation of the Class. The grounds and reasons for granting this relief are stated with particularity in the accompanying brief and other supporting papers.

Pursuant to this Court’s Order Granting Preliminary Approval of Settlement and Directing Notice to the Class, a hearing is set for November 17, 2022, at 10:00 a.m. to address this motion. (ECF No. 31). Proposed orders will be submitted with Plaintiffs’ reply submission on or before November 3, 2022.

DATED: September 16, 2022

PHELAN PETTY, LLC

/s/ Jonathan M. Petty

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Attorneys for Plaintiffs and Class Counsel

CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2022 I filed the foregoing pleading or paper through the Court's CM/ECF system, which sent a notice of electronic filing to all registered users.

/s/ Jonathan M. Petty

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