

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

BUDICAK, INC., BLUE MARLIN
ARBITRAGE, LLC, and PRIME TRADING,
LLC, individually, and on behalf of others
similarly situated,

Plaintiffs,

v.

LANSING TRADE GROUP, LLC,
CASCADE COMMODITY CONSULTING,
LLC, and JOHN DOES NOS. 6-10,

Defendants.

Case No. 2:19-cv-02449

District Judge Toby Crouse

Magistrate Judge Angel D. Mitchell

**DECLARATION OF ERIC I. UNREIN
IN SUPPORT OF CLASS COUNSEL'S MOTION FOR AWARD OF ATTORNEYS'
FEES, REIMBURSEMENT OF EXPENSES
AND SERVICE AWARDS TO CLASS REPRESENTATIVES**

I, Eric I. Unrein, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am of counsel with the law firm of Cavanaugh, Biggs, and Lemon, P.A. (“the Firm”) in Topeka, Kansas.

2. I am licensed, active, and in good standing to practice law in the United States Supreme Court; the United States Courts of Appeal for the 7th, 8th, 9th, and 10th Circuits; the United States District Courts for the Northern District of Illinois, the District of Kansas, and the Western District of Missouri; and the States of Illinois and Kansas.

3. The Court designated as Class Counsel the law firms of Lowey Dannenberg, P.C. and Cafferty Clobes Meriwether and Sprengel, LLP. *Order Preliminarily Approving Proposed Settlement with Lansing Trade Group, LLC, Scheduling Hearing for Final Approval Thereof, And Approving the Proposed Form and Program Of Notice to The Class* [Doc. 358, p. 2, ¶ 4].

4. I represent Plaintiffs and serve as local counsel for purposes of this action and these Settlements.

5. I respectfully submit this Declaration in support of Class Counsel’s Motion for an Award of Attorneys’ Fees, Reimbursement of Expenses and Request for Service Awards to Class Representatives (the “Fee and Expense Application”) in connection with the services rendered in this action and the proposed class action settlements with Lansing Trade Group, LLC and Cascade Commodity Consulting, LLC.

6. The statements herein are true to the best of my personal knowledge, information and belief based on my records and other information received from the Firm’s attorneys and staff.

7. I have personally been assigned legal work and delegated responsibilities by Class Counsel in prosecuting the Action. I have completed this work and these responsibilities within the scope of my duties as specified by Kansas law, the Kansas Rules of Professional

Conduct, and the Local Rules of this Court, *see* D. Kan. 83.5.4. As required under local law and practice, I have played a meaningful role in this litigation.

8. I am the only attorney involved from the Firm in this Action. I have reviewed my time records (including, where necessary, backup documentation) to confirm both the accuracy of the entries as well as the necessity for and reasonableness of the time expended in this litigation. As a result of this review, the hours reflected in my lodestar calculation are reasonable in amount and were necessary to prosecute the Action and reach the settlements before the Court.

9. The hours I have included in my lodestar calculation began after United States District Judge Edmond E. Chang's transfer of the Action from the United States District Court for the Northern District of Illinois to the United States District Court for the District of Kansas. I have not included any hours accrued after February 28, 2023.

10. The legal services I performed on behalf of the Plaintiffs and putative class include, but are not limited to, the following: assist co-counsel with applications for admission *pro hac vice*; after *pro hac vice* admission of co-counsel, advise co-counsel as to local law, rules, and practice on an on-going basis in a manner consistent with local rules and practice; provide co-counsel with assistance as to issues of local law, rules, and practices as needed or requested; prepare for and participate in conferences with co-counsel as to various issues in relation to proposed filings and/or hearings and conferences; prepare for and attend court hearings and conferences; review and revise pleadings, motions, and reports or exhibits to be filed or attached to filings; review filings by Defendants and provide comments to co-counsel as to same; review court orders and advise co-counsel as requested or necessary; and, file all documents as required by local rules and practice.

11. The total time for which I request an award of legal fees is 416.4 hours. The total lodestar value of these professional services is \$218,610.00 at a rate of \$525/hour.

12. Set forth below is a summary reflecting the amount of time I worked on the Action from the inception of the case, after transfer to the District of Kansas, through February 28, 2023, the current billing rates applicable to such work, and the corresponding lodestar value of that work based on my hourly billing rates . The summary was prepared based upon my records.

Timekeeper	Position	Hours	Current Rate	Lodestar
Eric I. Unrein	Of Counsel	416.4	\$525/hr	\$218,610

13. The above hourly rate is my current hourly rate for matters of this nature and complexity. The hourly rate is the same as the regular rates I charge for services in contingent fee matters and non-contingent fee matters of this nature and complexity.

14. My lodestar figure does not include charges for expense items. Expense items are billed separately, as reflected in the table below, and such charges are not duplicated in my current billing rates. Further, expense items do not contain any general overhead costs and do not contain a surcharge over the amount paid to any vendor or independent contractor.

15. As detailed and categorized in the below schedule, the Firm, or myself, paid a total of \$532.80 in expenses from inception to the present for which it is currently requesting reimbursement.

Expense Categories	Expense Amount
Service and Filing Fees	\$0
Court Transcripts/Court Reporter Fees	\$0
Professional, Consulting, or Expert Fees	\$0
Postage, Mailing, FedEx, UPS, Fares & Messengers	\$0

Travel - Airfare, Lodging, Meals, Taxi	\$0
Computer Research, Databases & Docket	\$0
Document Review, IT and Maintenance	\$0
In-House Copying, including binders and materials	\$532.80
Outside Copying	\$0
Telephone, Telecopier & Conferencing	\$0
Total:	\$532.80

16. In-House Copying costs are based on a \$0.20/page rate.

17. The above schedule was prepared based upon my records.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 24, 2023
Topeka, Shawnee County, Kansas

s/ Eric I. Unrein
Eric I. Unrein