

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

JEREMY BRADEN, individually and on behalf)
of all others similarly situated,) Case No. 6:08-cv-3109-GAF
)
Plaintiff;) Hon. Gary A. Fenner
)
v.) CLASS ACTION
)
WAL-MART STORES, INC., et al.,)
)
Defendants.)

**LEAD COUNSEL’S MOTION FOR ATTORNEYS’ FEES, REIMBURSEMENT OF
COSTS AND EXPENSES, AND CASE CONTRIBUTION AWARD TO NAMED
PLAINTIFF**

Named Plaintiff Jeremy Braden hereby moves the court for entry of an Order awarding Lead Counsel (1) attorneys’ fees in the amount of \$4.05 million from the Settlement Fund; and (2) reimbursement of \$235,436.68 in expenses advanced by them; as well as (3) \$20,000 to Named Plaintiff in recognition of his efforts on behalf of the Settlement Class.

1. In support of this motion, and as may be required by Fed. R. Civ. P. 54, Plaintiff states that Lead Counsel are entitled to the award of attorneys’ fees and reimbursement of costs and expenses in the amounts represented herein as a result of having created a substantial monetary fund and significant non-monetary relief for the benefit of the class.

2. In further support of this motion, Plaintiff relies upon (a) the record herein; (b) the Settlement Agreement (Dkt. No. 229-1), as dated and filed with the Court on December 2, 2011; and (c) the accompanying Suggestions in Support of Lead Counsel’s Motion For Attorneys’ Fees, Reimbursement of Costs and Expenses, and Case Contribution Award to Named Plaintiff; (d) Named Plaintiff’s Motion for Final Approval of Class Action Settlement, Certification of Settlement Class, Approval of Forms and Methods of Notice, Approval of the Plan of Allocation,

and Entry of Final Order and Judgment; (e) the Declaration of Lynn Lincoln Sarko in Support of (1) Named Plaintiff's Motion for Final Approval of Class Action Settlement, Certification of Settlement Class, Approval of Forms and Methods of Notice, Approval of the Plan of Allocation, and Entry of Final Order and Judgment and (2) Lead Counsel's Motion for Attorneys' Fees, Reimbursement of Costs and Expenses, and Case Contribution Award to Named Plaintiff; and (f) Declaration of Jeremy Braden in Support of Plaintiff's Unopposed Motion for an Order Preliminarily Approving Class Action Settlement, Conditionally Certifying Settlement Class, Directing Distribution of Class Notice, Appointing Class Counsel and Class Representative, and Setting Hearing for Final Approval of Class Action Settlement, previously filed with the Court on December 2, 2011 (Dkt. No. 230).

WHEREFORE, for the reasons stated in this motion and the suggestions in support thereof and in the final approval motion and suggestions in support thereof, Named Plaintiff respectfully requests that the Court enter the proposed Order filed herewith.

RESPECTFULLY SUBMITTED this 3rd day of February, 2012.

KELLER ROHRBACK L.L.P.

/s/ Lynn Lincoln Sarko

Lynn Lincoln Sarko

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CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following: Paul Ondrasik, Morgan D. Hodgson, Eric Serron, Katherine R. Sinatra, William C. Martucci, Richard N. Bien, James Moloney, Robyn L. Anderson, Shannon Barrett, Kristen A. Page, William R. Robb, Edward H. Siedle and Robert N. Eccles. There are no non CM/ECF participants.

DATED this 3rd day of February, 2012.

/s/Lynn Lincoln Sarko

Lynn Lincoln Sarko