

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**KRISTAL M. KHAN, MICHELLE R.
BALLINGER, and GEORGE A. CRAAN,
individually and on behalf of all others
similarly situated,**

Plaintiffs,

v.

**PTC INC., THE BOARD OF DIRECTORS
OF PTC INC., THE INVESTMENT
COMMITTEE OF PTC INC., and JOHN
DOES 1-30,**

Defendants.

Civil Action No. 1:20-cv-11710-WGY

**PLAINTIFFS KRISTAL M. KHAN, MICHELLE R. BALLINGER, AND GEORGE A.
CRAAN’S MOTION FOR AN AWARD OF ATTORNEYS’ FEES AND
REIMBURSEMENT OF EXPENSES AND CASE CONTRIBUTION AWARDS
FOR THE NAMED PLAINTIFFS**

Plaintiffs Kristal M. Khan, Michelle R. Ballinger, and George A. Craan (together, “Plaintiffs”), participants in the PTC 401(k) Savings Plan (the “Plan”), respectfully move this Court, pursuant to FED. R. CIV. P. 23, for an Order:

1. Granting class counsel attorneys’ fees in the amount of \$575,000.00 which represents 33 1/3% of the settlement amount;
2. Directing reimbursement to Class Counsel in the amount of \$15,204.37 of expenses incurred in the prosecution of the action;
3. Awarding case contribution awards of \$10,000.00 to each of the three Named Plaintiffs (Kristal M. Khan, Michelle R. Ballinger, and George A. Craan); and
4. For such other relief as the Court may deem just and proper.

A proposed form of Order is submitted hereto.

The grounds for this Motion are set forth in the following documents filed contemporaneously herewith:

A. Memorandum of Law in Support of Plaintiffs' Motion For Award of Attorneys' Fees and Reimbursement of Expenses, and Case Contribution Awards to the Named Plaintiffs;

B. Declaration of Mark K. Gyandoh in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs;

C. Declaration of Named Plaintiff Kristal M. Khan in Support of Plaintiffs' Motion for Final Approval of Settlement and In Support of Motion for An Award of Attorneys' Fees, Reimbursement of Expenses and Case Contribution Awards for the Named Plaintiffs;

D. Declaration of Named Plaintiff Michelle R. Ballinger In Support of Motion for Award of Attorneys' Fees, Reimbursement of Expenses, and Case Contribution Awards to the Named Plaintiffs; and

E. Declaration of Named Plaintiff George A. Craan In Support of Motion for Award of Attorneys' Fees, Reimbursement of Expenses, and Case Contribution Awards to the Named Plaintiffs.

A Proposed Order is submitted herewith.

Dated: August 1, 2022

Respectfully submitted,

CAPOZZI ADLER, P.C.

/s/ Mark K. Gyandoh
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CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2022, a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

By: Mark K. Gyandoh
Mark K. Gyandoh, Esq.

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**[PROPOSED] ORDER AWARDING PLAINTIFFS' COUNSEL ATTORNEYS' FEES
AND REIMBURSEMENT OF EXPENSES AND
PLAINTIFFS' CASE CONTRIBUTION AWARDS**

This matter having come before the Court on _____, on the application of Class Counsel for an award of attorneys' fees and reimbursement of expenses incurred in the Action and for Case Contribution Awards for the Named Plaintiffs, having considered all papers filed and proceedings conducted herein, having found the settlement for this Action to be fair, reasonable and adequate and otherwise being fully informed in the premises and good cause appearing therefore:

IT IS HEREBY ORDERED AND ADJUDGED:

1. All of the capitalized terms used herein shall have the same meanings as set forth in the Settlement Agreement and Release ("Settlement Agreement") dated December 17, 2021, and filed with the Court.

2. This Court has jurisdiction over the subject matter of this application and all matters relating thereto, including all members of the Settlement Class.

3. Class Counsel are hereby awarded attorneys' fees of \$_____ and reimbursement of expenses in the sum of \$_____ (the "Attorneys' Fees and Expenses"), to be paid from the Settlement Fund. The Court finds that the amount of fees awarded is appropriate and that the amount of fees awarded are fair and reasonable given the substantial risks of non-recovery, the time and effort involved, and the result obtained for the Settlement Class.

4. Each of the three Named Plaintiffs is awarded \$_____ as a Case Contribution Award, as defined in the Settlement Agreement, in recognition of their contributions to this Action.

SO ORDERED this _____ day of _____, 2022.

Hon. William G. Young
United States District Judge