

The Honorable Kymberly K. Evanson

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DENNIS E. DAVIS, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

SYMETRA LIFE INSURANCE COMPANY

Defendant.

NO. 2:21-cv-00533-KKE

**SUPPLEMENTAL JOINT  
DECLARATION OF CLASS  
COUNSEL IN SUPPORT OF  
MOTION FOR ATTORNEYS' FEES,  
COSTS, EXPENSES AND SERVICE  
AWARDS**

We, Patrick J. Stueve and John J. Schirger, hereby declare as follows:

1. We are partners with our respective law firms and are counsel of record for the Plaintiff in the above-captioned action. We have previously submitted a joint declaration in support of Class Counsel's Motion for Attorney's Fees, Expense Reimbursement, and Service Award ("Fee Motion") (Doc. 142 ("Fee Decl.")), which we incorporate herein by reference. We make this Supplemental Declaration in further support of Class Counsel's Fee Motion to provide the Court updated information on the amount of time Class Counsel have spent on this litigation since the time through which Class Counsel calculated their lodestar in their Fee Motion. We make this declaration based on personal knowledge and if called to testify to the contents hereof, could and would competently do so.

2. Stueve Siegel Hanson and Schirger Feierabend have continued to keep contemporaneous track of the time spent on the litigation. Since April 2, 2025—the date through which we reported our time in our Fee Motion—we have spent an additional 145 hours on this case. This time was spent working with the Settlement Administrator, working with an actuarial expert regarding application of the allocation methodology to the class, responding to class member inquiries about the Settlement, and preparing the additional final approval motions briefing and supporting material that we have submitted to the Court.

3. Thus, using the previously reported hourly rates (*see* Fee Decl. at ¶41 and Appendix 1), Class Counsel's updated lodestar, including the additional work performed through May 9, 2025, and the anticipated future work related to settlement administration (100 hours), is \$3,962,159.25. This equates to a lodestar multiplier of 2.73 on Class Counsel's request for an attorney's fee of one-third of the Settlement Fund.

4. As observed in Class Counsel's Fee Declaration, even in cases in which Class Counsel obtained verdicts in favor of policyholder classes, it took years for policyholders to receive their recovery. Fee Decl. at ¶33. In the *Vogt v. State Farm* litigation, the class members who prevailed at trial in June 2018 were not paid until 2022 because State Farm exercised all rights of appeal including seeking *certiorari* to the U.S. Supreme Court. Similarly, Kansas City Life Insurance Company did not pay judgments against it in *Karr v. Kansas City Life Insurance Co.* and *Meek v. Kansas City Life Insurance Co.* resulting from jury trials in December 2022 and May 2023 for over two years due to the delay inherent in the appeals process, and Kansas City Life has not yet paid the judgment against it from the *Sheldon v. Kansas City Life Insurance Co.* case that went to trial in September 2023.

We declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed this 12th day of May 2025.

John J. Schirger

Patrick J. Stueve

## APPENDIX 1

**Stueve Siegel Hanson LLP Lodestar  
Through May 9, 2025**

<b>Timekeeper</b>	<b>Title</b>	<b>Years of Experience</b>	<b>Hours</b>	<b>Rate</b>	<b>Lodestar</b>
Stueve, Patrick	Partner	37	169	\$1,425.00	\$240,825.00
Siegel, Norman	Partner	32	0.40	\$1,425.00	\$570.00
Perkins, Lindsay	Partner	18	430.90	\$1,050.00	\$452,445.00
Wilders, Bradley	Partner	18	1.20	\$1,250.00	\$1,500.00
Lange, Ethan	Partner	17	521.10	\$1,025.00	\$534,127.50
Hickey, David	Senior Counsel	16	1021.90	\$875.00	\$894,162.50
Walters, Stephanie	Associate	18	14.40	\$875.00	\$12,600.00
Stueve, Benjamin	Associate	7	18.90	\$675.00	\$12,757.50
Campbell, Michelle	Paralegal	40	0.30	\$400.00	\$120.00
Phommachanh, Vong	Paralegal	19	25.40	\$400.00	\$10,160.00
Perez, Cheri	Legal Assistant	41	8.40	\$375.00	\$3,150.00
Williams, Sheri	Legal Assistant	25	0.20	\$250.00	\$50.00
		<b>Totals:</b>	<b>2,212.10</b>		<b>\$2,162,467.50</b>

**Schirger Feierabend LLC Lodestar  
Through May 9, 2025**

<b>Timekeeper</b>	<b>Title</b>	<b>Years of Experience</b>	<b>Hours</b>	<b>Rate</b>	<b>Total</b>
Schirger, John	Partner	33	504.10	\$1,050.00	\$529,305.00
Feierabend, Joseph	Partner	15	804.00	\$875.00	\$703,500.00
Bess-Rhodes, Olivia	Associate	1	194.10	\$500.00	\$97,050.00
Feierabend, Katherine	Associate	4	81.80	\$650.00	\$53,170.00
Duryea, Cara	Paralegal	24	108.10	\$250.00	\$27,025.00
Lytle, Matt	Partner	21	113.80	\$875.00	\$99,575.00
Sherman, Sam	Associate	3	121.90	\$450.00	\$54,855.00
Stainbrook, Molley	Paralegal	2	114.10	\$225.00	\$25,672.50
		<b>Totals:</b>	<b>2,041.90</b>		<b>\$1,590,152.50</b>

SUPPLEMENTAL DECLARATION OF  
CLASS COUNSEL - 3

Case No. 2:21-cv-00533-KKE

TOUSLEY BRAIN STEPHENS PLLC  
1200 Fifth Avenue, Suite 1700  
Seattle, Washington 98101  
TEL. 206.682.5600 • FAX 206.682.2992

**Tousley Brain Stephens PLLC Lodestar  
Through May 9, 2025**

<b>Timekeeper</b>	<b>Title</b>	<b>Years of Experience</b>	<b>Hours</b>	<b>Rate</b>	<b>Total</b>
Stephens, Kim	Partner	44	66.2	\$1,140.00	\$75,468.00
Solomon, Rebecca	Partner	12.5	50	\$900.00	\$45,000.00
Stanton, Amy	Paralegal	>20	0.3	\$350.00	\$105.00
Rashby, Eve	Paralegal	>20	0.4	\$350.00	\$140.00
Andrzejewski, Melissa	Legal Assistant	>20	1	\$225.00	\$225.00
		<b>Totals:</b>	<b>117.9</b>		<b>\$120,938.00</b>