

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

LYNN SCOTT, LLC, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

GRUBHUB INC.,

Defendant.

Case No. 1:20-cv-06334

Judge LaShonda A. Hunt

**DECLARATION OF ELIZABETH A. FEGAN IN SUPPORT OF PLAINTIFFS'
MOTION FOR AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES,
AND CLASS REPRESENTATIVE SERVICE AWARDS**

I, Elizabeth A. Fegan, submit this declaration in support of Plaintiffs' Motion for Award of Attorneys' Fees, Reimbursement of Expenses, and Class Representative Service Awards and hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I, along with my co-counsel Rosemary M. Rivas of the law firm Gibbs Mura LLP ("Gibbs"), am counsel for plaintiffs Lynn Scott, LLC, The Farmer's Wife, LLC, Thuan Luu, Old Crown, Inc., 132 Degrees, LLC, MDR, LLC, Momobbq, Co., LLC, MF Tasty LLC, and Iowa City Coffee Company against defendant Grubhub, Inc. On September 4, 2025, the Court appointed Ms. Rivas and myself on behalf of my firm Fegan Scott LLP ("Fegan Scott") as Class Counsel for the Settlement Class, and preliminarily approved the Parties' Settlement. ECF No. 271.

2. I am an attorney who has been licensed in the State of Illinois and this District since 1995 and am a member in good standing. I am also admitted in the State of California, the Central

and Southern Districts of Illinois, the Eastern District of Michigan, and the United States Court of Appeals for the First, Second, Third, Seventh, Eighth and Ninth Circuits, and District of Columbia.

3. I have personal knowledge of the following facts and, if called upon as a witness, could and would competently testify thereto, except as to those matters which are explicitly set forth as based upon my information and belief and, as to such matters, I am informed and believe that they are true and correct.

I. Class Counsel's Efforts to Advance This Litigation and Achieve a Favorable Settlement

4. As described more fully in the Declaration of Rosemary M. Rivas in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement (ECF No. 267-1), since 2020, my firm along with Gibbs have diligently litigated this case on a fully contingent basis without any guarantee of compensation or reimbursement for the time and expenses they have incurred and devoted to this action.

II. My 30 Years of Experience Litigating Complex Class Actions

5. I am the founding and Managing Partner at Fegan Scott. Fegan Scott is a nationwide class-action law firm dedicated to helping victims of consumer fraud, antitrust violations, negligence, and discrimination.

6. I have 30 years of experience representing plaintiffs in complex class action litigation. After 15 years as Managing Partner of Hagens Berman's Chicago office, I established Fegan Scott in 2019 in Chicago. As our firm resume shows,¹ Fegan Scott has achieved significant recoveries on behalf of consumers in its relatively short existence. Fegan Scott was named Law Firm of the Year in the consumer protection category at *The National Law Journal's* 2023 Elite

¹ A copy of Fegan Scott's firm resume was previously filed as Exhibit 3 to the Declaration of Rosemary M. Rivas in Support of Unopposed Motion for Preliminary Approval of Class Action Settlement. (ECF No. 267-4.)

Trial Lawyers Awards. Since its formation, Fegan Scott has been appointed to leadership positions by courts throughout the country, including this District. My firm has served as various roles in numerous class actions, including:

- a. *In re TikTok, Inc., Consumer Privacy Litigation*, MDL No. 2948 (N.D. Ill.): I was appointed *sua sponte* as Co-Lead Counsel. On August 22, 2022, Judge Lee granted final approval of a groundbreaking \$92 million settlement for consumers who use the app. The settlement is one of the largest privacy class action settlements ever achieved.
- b. *In re Beyond Meat, Inc., Protein Content Marketing and Sales Practices Litigation*, MDL No. 3059 (N.D. Ill.): I was appointed a member of the Plaintiffs' Steering Committee for a consumer class action concerning the protein content and quality of Beyond Meat Products. On March 31, 2025, Judge Ellis granted final approval of a \$7.5 million settlement that provided over 100% of Class Counsel's damages estimate.
- c. *In re Kia Hyundai Vehicle Theft Marketing, Sales Practices, and Products Liability Litigation*, MDL No. 3052 (C.D. Cal.): I was appointed Co-Lead Counsel for a class of nearly 10 million Hyundai and Kia vehicles that allegedly suffer from a defect that made them prone to a nationwide theft epidemic. On October 1, 2024, Judge Selna granted final approval of a class settlement that is valued at more than \$200 million, including a \$145 million common fund.
- d. *In re Aqueous Film-Forming Foams Products Liability Litigation*, MDL No. 2873 (D.S.C.): I was appointed as Co-Lead Counsel. Action concerns class claims on behalf of Public Water Systems that major chemical companies contaminated drinking water with "forever chemicals" known as PFAS. In February and March 2024, Judge Gergel granted final approval of two class action settlements in excess of \$13.5 billion against certain PFAS manufacturer defendants.
- e. *Zakikhani, et al. v. Hyundai Motor Company, et al.*, 8:20-cv-01584-SB-JDE, ECF No. 130 (C.D. Cal.): I was appointed as Co-Lead Counsel. Class action concerning a potentially deadly defect that causes spontaneous engine compartment fires in over three million Hyundai and Kia vehicles, across dozens of models and over a decade of production model years. Judge Blumenfeld granted final approval of a settlement valued in excess of \$650 million on May 10, 2023.

7. Prior to founding Fegan Scott, I was also part of the Co-Lead Counsel team in *In re NCAA Student-Athlete Concussion Injury Litigation*, No. 1:13-cv-9116 (N.D. Ill.), which

resulted in an historic nationwide class settlement on behalf of four million current and former NCAA student-athletes comprised of a \$70 million, 50-year medical monitoring program to diagnose the short- and long-term effects of concussions and the accumulation of subconcussive hits. Additional non-exhaustive examples in which I led the prosecution include a series of class actions against insurance companies that sold equity-indexed deferred annuities that targeted, but were inappropriate for, senior citizens. These cases led to numerous settlements, *e.g.*, American Equity Senior Annuities Fraud MDL (C.D. Cal.) (\$129 million settlement) and Midland Senior Annuities Fraud MDL (C.D. Cal.) (\$79.5 million settlement). I was also appointed Class Counsel and Liaison Counsel in *In re Stericycle, Inc., Sterisafe Contract Litig.*, MDL No. 2455, No. 13-cv-5795, where we received final approval of a \$295 million class settlement. For a full list of my accomplishments, see our firm resume. (ECF No. 267-4.)

8. My accomplishments and successes have been widely recognized. I have been named, *inter alia*: one of America's Top 200 Lawyers, Forbes (2024); Sports/Gaming/Entertainment Law Trailblazer, The National Law Journal (2022); Midwest Trailblazer, The American Lawyer (2022); Illinois Super Lawyer, Super Lawyers Magazine (annually 2016-2025); 500 Leading Plaintiff Consumer Lawyers, LawDragon (annually 2019-2025); Top 50 Women in Law Honoree, Chicago Daily Law Bulletin/Chicago Lawyer (2021); and Woman of Influence 2017, Best Lawyers, Business Edition (Spring 2017).

9. The primary attorney from Fegan Scott who worked on this matter with me was Jonathan Lindenfeld. In 2020, Mr. Lindenfeld opened Fegan Scott's New York office, where he serves as Of Counsel. Mr. Lindenfeld has developed an impressive record representing victims of consumer and securities frauds in class actions against some of the largest Fortune 500 companies in the financial, pharmaceutical, and automotive industries. Mr. Lindenfeld was the primary

attorney working alongside me in *In re Beyond Meat, Inc., Protein Content Marketing and Sales Practices Litigation*, MDL No. 3059 (N.D. Ill.), *Zakikhani, et al. v. Hyundai Motor Company, et al.*, 8:20-cv-01584-SB-JDE, ECF No. 130 (C.D. Cal.), and *In re Kia Hyundai Vehicle Theft Marketing, Sales Practices, and Products Liability Litigation*, MDL No. 3052 (C.D. Cal.). Since 2020, Mr. Lindenfeld has been named to the Super Lawyers' New York Metro Rising Stars list and has been named to the Best Lawyers' Ones to Watch lists (annually 2024-2026). For a full list of Mr. Lindenfeld's accomplishments, see our firm resume attached. (ECF No. 267-4.)

III. Fegan Scott's Total Time and Expenses Incurred

10. Fegan Scott kept detailed records regarding the amount of time spent by attorneys and staff working on this matter and the lodestar calculation is based on the firm's current billing rates. The information was prepared from contemporaneous, daily time records regularly prepared and maintained by the firm in the usual course and manner of the firm. Time expended in preparing this application for fees and reimbursement of expenses is not included in this request.

11. The hourly rates in my firm included in this matter are the same as the regular current rates charged for their services in non-contingent matters and/or which have been used most recently in the lodestar cross check accepted by courts in other class litigation. Specifically, our firm billed at \$1,000 per hour for partners, \$750 per hour for of counsel, and \$250 per hour for paralegals.

12. I am generally familiar with hourly rates typically charged by plaintiffs' class action counsel in the district where my firm is located and in other districts throughout the United States. The rates charged by my firm are commensurate with those prevailing in the market for such legal services furnished in complex class action litigation. Our rates were most recently approved in this

District by Judge Ellis in *In re Beyond Meat, Inc., Protein Content Marketing and Sales Practices Litigation*, MDL No. 3059, ECF No. 66 (N.D. Ill. Mar. 21, 2025).

13. As of December 14, 2025, my firm has spent 718 hours working on this matter. The total lodestar amount for this work is \$354,755. The lodestar associated with each biller is as follows:

NAME	POSITION	RATE (\$)	HOURS	LODESTAR
Elizabeth Fegan	Partner	\$1,000.00	46.1	\$ 46,100.00
Jonathan Lindenfeld	Of Counsel	\$ 750.00	124.9	\$ 93,675.00
Megan Shannon	Senior Associate	\$ 650.00	89.9	\$ 58,435.00
Georgia Zacest	Associate	\$ 500.00	1.3	\$ 650.00
Barbara Moran	Staff Attorney	\$ 350.00	314.5	\$ 110,075.00
Carlye Abitbol	Paralegal	\$ 250.00	2	\$ 500.00
Annitta Bailey	Paralegal	\$ 250.00	0.4	\$ 100.00
Rachel Blackburn	Paralegal	\$ 250.00	0.8	\$ 200.00
Jessica Davis	Paralegal	\$ 250.00	17.2	\$ 4,300.00
Alissa Giler	Paralegal	\$ 250.00	0.4	\$ 100.00
Tory Kenney	Paralegal	\$ 250.00	1.3	\$ 325.00
Wendy Purcell	Paralegal	\$ 350.00	91.3	\$ 31,955.00
Liz Schoolfield	Paralegal	\$ 350.00	0.4	\$ 140.00
Tara Sylvester	Paralegal	\$ 250.00	1	\$ 250.00
Grace Flannery	Law Clerk	\$ 300.00	26.5	\$ 7,950.00
			718	\$ 354,755.00

14. The work performed and reflected above was reasonable and necessary to the prosecution and settlement of this case.

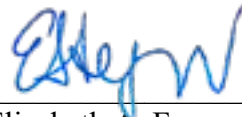
15. Detailed time records describing the work performed are available to the court for *in camera* review.

16. My firm also incurred \$2,643.34 in total expenses. These expenses are reflected in the books and records of my firm, and are an accurate record of the expenses incurred. All of the expenses incurred were reasonable and necessary for the prosecution of this case. Specifically, the expenses relate to filing fees, PACER fees, and LexisNexis fees.

* * *

I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct.

Executed on December 19, 2025, in Chicago, Illinois.



Elizabeth A. Fegan