

**UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO
Judge John L. Kane**

Civil Action No. 09-cv-00938-JLK consolidated with No. 10-cv-00765-JLK

JAMES P. TENNILLE, ROBERT SMET, ADELAIDA DELEON and YAMILET RODRIGUEZ, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

THE WESTERN UNION COMPANY and WESTERN UNION FINANCIAL SERVICES, INC.,

Defendants.

PLAINTIFFS' MOTION OF CLASS COUNSEL FOR APPROVAL OF ATTORNEYS' FEES, COSTS AND EXPENSES AND FOR APPROVAL OF INCENTIVE AWARDS

On behalf of the attorneys who represent the Class Representatives in this litigation, and on behalf of those Representatives, Class Counsel respectfully move the Court for an award of attorneys' fees pursuant to Rules 54(d)(2) and 23(h), for an Order permitting reimbursement of reasonable and necessary expenses made by counsel on behalf of the Class and for an Order permitting the payment of incentive awards to class representatives.

Pursuant to the Stipulation and Agreement of Compromise and Settlement ("Settlement Agreement") (Dkt. # 172-2, ¶ 5), and as included and described in the notice materials provided to class members, Class Counsel request the Court to determine and award attorneys' fees in an amount equal to 30% of the Class Settlement Fund as determined by the Court pursuant to the Settlement Agreement ¶ 2.A.3, and to enter a judgment therefore to be paid from the Class Settlement Fund. Class Counsel's request for a fee award in the amount of 30% of the Class

Settlement Fund is reasonable and just for the reasons stated in the Memorandum of Law in Support filed herewith. Class Counsel further request a judgment and award of \$7,500 for each of the named Class Representatives, James Tennille, Robert Smet, Adelaida DeLeon, and Yamilet Rodriquez to be paid out of the Class Settlement Fund, which award is just and reasonable.

The proposed order awarding such fees, costs, and incentive payments will be submitted to the Court as part of a proposed order granting final approval of the settlement between Plaintiffs and Defendants. The undersigned intend to rely upon the Settlement Agreement, the Declarations of Richard J. Burke, R. Larry Johnson, Brian Fitzpatrick, and the Memorandum of Law in Support of Motion Of Class Counsel For Approval Of Attorneys' Fees, Costs And Expenses And For Approval Of Incentive Awards incorporated herein by reference and filed contemporaneously with this Motion.

Dated: April 30, 2013

Respectfully submitted,

COMPLEX LITIGATION GROUP LLC

By: /s/ Richard J. Burke

Richard J. Burke
COMPLEX LITIGATION GROUP LLC
1010 Market Street, Suite 1340
St. Louis, Missouri 63101

Jeffrey A. Leon
Jamie E. Weiss
Grant Y. Lee
COMPLEX LITIGATION GROUP LLC
513 Central Avenue, Suite 300
Highland Park, IL 60035
(847) 433-4500

LEAD CLASS COUNSEL

Jonathan Shub
SEEGER WEISS LLP
1515 Market Street, Suite 1380
Philadelphia, Pennsylvania 19102

Stephen A. Weiss
SEEGER WEISS LLP
77 Water Street
New York, NY 10005

Seth A. Katz
Daniel McKenzie
**BURG SIMPSON EDDREDGE HERSH
& JARDINE P.C.**
40 Inverness Drive East
Englewood, Colorado 80112

Jim S. Calton, Jr.
Calton Legal Services, SP
322 South Eufaula Avenue
Eufaula, AL 36027

James E. Cecchi
**CARELLA, BYRNE, CECCHI, OLSTEIN,
BRODY & AGNELLO, P.C.**
5 Becker Farm Road
Roseland, New Jersey 07068

Mitchell Baker
1543 Champa Street, Suite 400
Denver, Colorado 80202

*Class Counsel for Class Representative
Plaintiffs and Settlement Class*

CERTIFICATE OF SERVICE

I hereby certify that on April 30, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following email addresses:

Christopher Adam Seeger cseeger@seegerweiss.com
Daniel Ellis McKenzie dmckenzie@burgsimpson.com
Geraldine Mary Alexis GAlexis@perkinscoie.com
Jason A. Yurasek JYurasek@perkinscoie.com
Jeffrey A. Leon jeff@complexlitgroup.com
Jonathan N. Shub jshub@seegerweiss.com
Leonard H. MacPhee lmacphee@perkinscoie.com
Richard J. Burke richard@complexlitgroup.com
Seth Alan Katz skatz@burgsimpson.com
James E. Cecchi jcecchi@carellabyrne.com
Jamie E. Weiss Jamie@complexlitgroup.com
Jimmy S. Calton, Jr. caltonlegal@gmail.com
John M. Agnello jagnello@carellabyrne.com
Mitchell Baker mitchbaker@estreet.com

s/ Richard J. Burke

Richard J. Burke

COMPLEX LITIGATION GROUP LLC

1010 Market Street, Suite 1340

St. Louis, MO 63101