

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WILLIAM McGEE and LEE McGEE,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiffs,

vs.

CONSTANT CONTACT, INC., et al.,

Defendants.

) No. 1:15-cv-13114-MLW

) CLASS ACTION

) DECLARATION OF ROBERT A.
) SUGARMAN FILED ON BEHALF OF
) SUGARMAN & SUSSKIND, PA IN
) SUPPORT OF APPLICATION FOR
) AWARD OF ATTORNEYS' FEES AND
) EXPENSES

I, Robert A. Sugarman, declare as follows:

1. I am one of the two founding partners of the Sugarman & Susskind, PA law firm (“Firm”). I am submitting this declaration in support of my firm’s application for an award of attorneys’ fees in connection with services rendered in the above-entitled action.

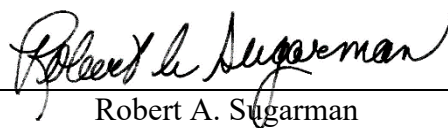
2. This firm is co-counsel of record for plaintiff, North Collier Fire Control and Rescue District Firefighter Pension Plan.

3. The information in this declaration regarding the Firm’s time is taken from time reports and supporting documentation prepared and/or maintained by the Firm in the ordinary course of business. I reviewed these reports in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries on the printouts as well as the necessity for, and reasonableness of, the time committed to the Litigation by the Firm. Based on this review, I believe that the time reflected in the Firm’s lodestar calculation for which payment is sought herein are reasonable and were necessary for the effective and efficient prosecution and resolution of the Litigation. In addition, I believe that these fees are all of a type that are below or at the rates that would be ordinarily be charged to a fee-paying client in the South Florida legal marketplace.

4. The number of hours spent on the Litigation by the Firm as of this declaration is 134. A breakdown of the lodestar is provided in the attached Exhibit A. The hourly rates shown in Exhibit A are set based on the client being a retainer client, which affords the client reduced hourly rates for legal work, such as litigation, that are billed outside of the fixed monthly retainer.

5. The identification and background of my firm and its partners is attached hereto as Exhibit B.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 27th day of March, 2020, at Coral Gables, Florida.



Robert A. Sugarman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 30, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Court's Electronic Mail Notice List, and I hereby certify that I have caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the Court's Manual Notice List.

/s/ Ellen Gusikoff Stewart

ELLEN GUSIKOFF STEWART

EXHIBIT A

EXHIBIT A*William McGee and Lee McGee v. Constant Contact, Inc., et al.,*

No. 1:15-cv-13114-MLW

SUGARMAN & SUSSKIND, P.A.

Inception through March 26, 2020

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Robert A. Sugarman	(P)	29	\$275	\$7,975.00
Kenneth R. Harrison, Sr.	(P)	39.5	\$275	\$10,862.50
Pedro A. Herrera	(P)	63.9	\$275	\$17,572.50
D. Marcus Braswell	(P)	.5	\$275	\$137.50
Michael Gillman*	(A)	1.1	\$275	\$302.50
<i>TOTAL</i>		<i>134.0</i>		<i>\$36,850.00</i>

(P) Partner

(A) Associate

*No longer employed at Sugarman & Susskind, P.A.

EXHIBIT B

EXHIBIT B

William McGee and Lee McGee v. Constant Contact, Inc., et al.,
No. 1:15-cv-13114-MLW
SUGARMAN & SUSSKIND, P.A.

FIRM RESUME

Sugarman & Susskind, P.A., is located in Coral Gables (greater Miami), Florida. We have represented public and private sector unions, pension, VEBA and health and welfare plans for over 35 years. Our attorneys work together with the sole purpose of protecting working conditions and benefits for unionized employees.

Each of the firm's attorneys has been practicing with the firm for basically their entire legal careers. Bob Sugarman and Howard Susskind launched the firm over 35 years ago and Pedro has been with the firm for approximately 16 years. Ken Harrison has been with the firm for close to 20 years. We take great pride in the fact that there is little to no turnover in our firm and the Sugarman & Susskind family continues to flourish. Our support staff has similarly been with us for the entirety of each of their professional careers and have each been with the firm for over twenty-five years.

We are proud to continuously be named among the "Best Law Firms" in the most recent US News & World Report rankings. The firm received the highest (i.e. "Tier 1") ranking in Employment Benefits Law; Employment Law; Litigation and Labor Law.

Bob Sugarman, Pedro Herrera and Ken Harrison have provided the majority of legal services in the Constant Contact matter¹. Bob is a Florida Bar Board Certified Labor and Employment Lawyer² and was elected by his peers as a Fellow of the College of Labor and Employment Attorneys. Pedro received his bachelor's degree with a double major earning *Summa Cum Laude* honors from University of Miami in 2000 where he was an accomplished scholar athlete as a walk-on for the Miami Hurricanes football team. He graduated with honors from the University of Pennsylvania Law School while also earning a degree from the Wharton School of Business. Pedro has focused his practice on governmental pension funds for over 15 years. He has achieved an "AV Preeminent" rating, or top rating, from Martindale-Hubbell³. Ken Harrison holds a Juris Doctor Degree from the University of Miami, School of Law, a Master of Science Degree in Management from Biscayne College (St. Thomas University) and a Bachelor of Business Degree

¹ See Exhibit A.

² Board certification recognizes attorneys' special knowledge, skills and proficiency in various areas of law and professionalism and ethics in practice. Certification is the highest level of evaluation by The Florida Bar directly speaking to the competency and experience of attorneys.

³ AV Preeminent® is the highest and most significant rating accomplishment available - a testament to the fact that a lawyer's peers rank him at the highest level of professional and ethical excellence. This rating is only achieved through a vigilant peer review process of those practicing for a certain tenure.

accounting major from the University of Miami. He is a founding member of the Florida Pension Trustees Association (FPPTA), currently serving as Director Emeritus and is a Certified Public Pension Trustee. In 1991 Mr. Harrison completed a 27-year law enforcement career, when he retired from the City of Miami (Florida) Police Department as Assistant Chief. Ken completed over 30 years of military service in 2002 when he retired from the United States Coast Guard Reserve as Captain (Colonel).