

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

*In re M&T Bank Corporation ERISA Litigation*

Civil Action No.: 1:16-cv-375-FPG-JJM

Consolidated Action

**ORDER ON PLAINTIFFS' MOTION FOR APPROVAL OF ATTORNEYS' FEES, EXPENSES  
AND CLASS REPRESENTATIVE SERVICE AWARDS**

This matter came before the Court on a Fairness Hearing on September 3, 2020. During the Fairness hearing, the Court considered, among other things, Plaintiffs' Motion for Approval of Attorneys' Fees, Expenses, and Class Representative Service Awards. This motion is unopposed by Defendants. Having considered the motion papers, the proposed Settlement Agreement which the Court preliminarily approved on April 14, 2020 and has now finally approved, the arguments of counsel, and all files, records, and proceedings in this action, and otherwise being fully informed in the premises as to the facts and the law.

**It is hereby ORDERED as follows:**

1. Class Counsel's request for an award of \$6,950,000 in attorneys' fees is approved. Having reviewed Class Counsel's application and all applicable legal authorities, the Court finds the requested amount of fees (one-third of the Settlement Fund) to be reasonable and appropriate.
2. Class Counsel's request for litigation expenses in the amount of \$169,968.23 is approved. The Court has reviewed these expenses and finds that they are reasonable and appropriate

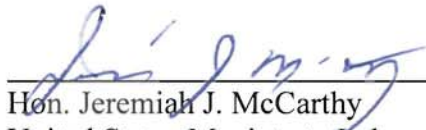
given the nature of this action.

3. Class Counsel's request for settlement administration expenses in the amount of \$91,322 is also approved. The Court has reviewed these expenses (including \$73,822 to the Settlement Administrator; \$2,500 to the Escrow Agent, and \$15,000 to the Independent Fiduciary who was retained to review the class release on behalf of the Plan pursuant to applicable regulations), and finds that they are reasonable and appropriate.

4. Plaintiffs' request for class representative service awards in the amount of \$10,000 each (\$60,000 total) to Plaintiffs Sa'ud Habib, Beverly Williams, J. Marlene Smith, Kenneth Sliwinski, Russ Dixon, and Jacqueline Allen is approved. The Court finds these awards to be justified under the facts of this case and consistent with applicable legal authorities.

**IT IS SO ORDERED.**

Dated: September 3, 2020

  
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Hon. Jeremiah J. McCarthy  
United States Magistrate Judge