

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

RICHARD DENNIS and PORT 22, LLC, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

THE ANDERSONS, INC., and CARGILL,
INC., and JOHN/JANE DOES NOS. 1-50
Defendants.

Case No.: 1:20-cv-4090

Honorable Robert W. Gettleman
Magistrate Judge Keri L. Holleb Hotaling

**DECLARATION OF XAVIER LAURENS IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND CLASS
COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES,
AWARD OF EXPENSES, AND REQUEST FOR SERVICE
AWARDS TO CLASS REPRESENTATIVES**

I, Xavier Laurens, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I respectfully submit this declaration in support of (a) Plaintiffs' motion for final approval of the proposed Settlement, and (b) Class Counsel's motion for an award of attorneys' fees, award of expenses, and request for service awards to Class Representatives. The statements herein are true to the best of my personal knowledge, information, and belief.

2. I am a partner and trader at Port 22, LLC ("Port 22"), one of the Plaintiffs in this Action. I was responsible for Port 22's participation in this Action. I have been investing in the futures market for more than 20 years, including during the Class Period.

I. PORT 22'S OVERSIGHT OF THE LITIGATION

3. Port 22 became involved in this Action in 2021, prior to the filing of the Second Amended Complaint. Port 22 was named as a plaintiff in the Second Amended Complaint, filed on August 9, 2021. *See* ECF No. 54.

4. Throughout the litigation, Port 22 received periodic status reports from Class Counsel on case developments and participated in discussions concerning the prosecution of the Action, the strengths and weaknesses of the claims, and potential settlement.

5. As a Class Plaintiff, I understood Port 22's responsibilities to include, among other things: (a) taking all necessary steps to further the litigation and dutifully represent the rights of all Class Members; (b) producing all relevant facts and documents necessary to pursue the Action; (c) reviewing pleadings and motions and otherwise overseeing the litigation; (d) testifying at deposition and/or trial; (e) staying informed about the lawsuit's progress; and (f) assisting Class Counsel in prosecuting the Action on behalf of the Class.

6. During the course of this litigation, Port 22 performed the following tasks, among others:

(a) gathering and producing Port 22's trading records for the Class Period;

- (b) reviewing Port 22's trading records with Class Counsel for purposes of drafting and reviewing the allegations in the complaints related to Port 22's trading;
- (c) reviewing the pleadings filed in this action since Port 22 became involved in the case;
- (d) participating in discovery by producing relevant documents in response to Defendants' requests for production and providing information in response to interrogatories;
- (e) preparing for deposition and being deposed by Defendants' Counsel; and
- (f) discussing settlement negotiations with Class Counsel.

7. To date, I estimate that Port 22 has spent at least forty-five (45) hours performing Port 22's role as Class representative.

II. APPROVAL OF THE SETTLEMENT

8. As detailed in the paragraphs above, through Port 22's active participation, Port 22 was both well-informed of the status and progress of the litigation and was kept informed of the progress of settlement negotiations. Port 22 approves of the Settlement amount.

9. Based on Port 22's involvement throughout the prosecution and resolution of the claims asserted in the Action, Port 22 believes that the Settlement provides a fair, reasonable, and adequate recovery for the Class.

III. CLASS COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF LITIGATION EXPENSES, AND SERVICE AWARDS

A. Attorneys' Fees and Expenses

10. Port 22 believes that Class Counsel's request for an award of attorneys' fees in the amount of one-third of the Settlement Fund is fair and reasonable considering the work Class

Counsel performed on behalf of the Class. Port 22 has authorized this fee request for the Court's ultimate determination.

11. Port 22 has evaluated Class Counsel's fee request by considering the quality and amount of the work performed, the recovery obtained for the Class, and the risks Class Counsel bore in prosecuting this Action on behalf of Port 22 and the Class on a fully contingent basis in which Class Counsel was not paid during the pendency of this Action and fronted all expenses, which total \$1,080,505.64. Port 22 has authorized this fee request for the Court's ultimate determination.

12. The engagement agreement entered into between Port 22 and Kirby McInerney LLP specified that the Action would be undertaken by Class Counsel on a contingency basis, and that Kirby McInerney LLP would apply to the Court for an award of counsel fees not in excess of 33 1/3% of the gross classwide recovery, plus disbursements.

13. Port 22 submits that the litigation expenses being requested for reimbursement to Class Counsel are reasonable and represent costs and expenses necessary for the prosecution and resolution of the claims in this Action. Based on the foregoing, and consistent with Port 22's obligation to the Class to obtain the best result in the most cost-efficient manner, Port 22 supports Class Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses.

B. Port 22's Request for a Service Award

14. In accordance with Port 22's duties as a Class representative, it has not received, nor has it been promised or offered any financial incentive or compensation for serving as a Class representative in the Action. Nevertheless, Port 22 understands that courts may authorize an award to a representative serving on behalf of the Class directly relating to their representation of the Class. While Port 22 recognizes that the grant of such an award is entirely in the discretion of the

Court, it is also our understanding that the Class has been given notice of Plaintiffs' intention to seek Service Awards.

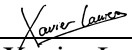
15. I respectfully request that the Court approve a service award in the amount of \$25,000, which is commensurate with Port 22's contributions as a Class representative.

16. The significant amount of time that Port 22 staff devoted to the representation of the Class in this Action—including, among things, time spent actively participating in the discovery process, participating on calls with counsel, reviewing correspondence, and reviewing drafts of pleadings—was time that they otherwise could have dedicated to other activities. I respectfully submit that Port 22's willingness to serve as class representative and efforts on behalf of the Class were essential to obtaining this \$10 million settlement for the benefit of all Class members.

IV. CONCLUSION

17. As discussed above, Port 22 was actively involved in the prosecution and settlement of the claims in this Action, Port 22 strongly endorses the Settlement as fair, reasonable, and adequate, and believes the Settlement represents a significant recovery for the Class. Accordingly, Port 22 respectfully requests that the Court approve Plaintiffs' motion for final approval of the Settlement, Class Counsel's request for attorneys' fees and expenses, and Port 22's request for a Service Award.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 31
day of August 2026, in Chicago, Illinois.



Xavier Laurens