

**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 RICHARD DENNIS IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND CLASS
COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES,
REIMBURSEMENT OF EXPENSES, AND REQUEST FOR SERVICE AWARDS**

I, Richard Dennis, 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, reimbursement 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 one of the named Plaintiffs and certified Class Representatives in this Action. I have been investing in the futures market for more than 50 years, including during the Class Period.

I. MY OVERSIGHT OF THE LITIGATION

3. I became involved in this Action in 2020, prior to the filing of the initial complaint. *See* ECF No. 1.

4. Throughout the litigation, I 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 Plaintiff and Class Representative, I understood my 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, I performed the following tasks, among others:

- (a) gathering and producing my trading records for the Class Period;
- (b) reviewing my trading records with Class Counsel for purposes of drafting and supporting the allegations in the complaints;

- (c) reviewing the pleadings filed in this action, including the amended complaints adding Cargill and additional plaintiffs;
- (d) participating in discovery by producing relevant documents in response to Defendants' requests for production and providing information in response to interrogatories;
- (e) preparing and sitting for a deposition conducted by Defendants' Counsel; and
- (f) discussing settlement negotiations with Class Counsel.

7. To date, I estimate that I spent at least 50 hours performing my role as Class Representative.

II. APPROVAL OF THE SETTLEMENT

8. I was both well-informed of the status and progress of the litigation and was kept informed of the progress of settlement negotiations by my counsel. I discussed the nature of the Settlement (including the Settlement Amount) with my counsel and approved Class Counsel's Settlement recommendation.

9. Based on my involvement throughout the prosecution and resolution of the claims asserted in the Action, I believe 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. I believe 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.

11. The engagement agreement entered into between Lowey Dannenberg, P.C. and me specified that the Action would be undertaken by Class Counsel on a contingency basis, and that Lowey would apply to the Court for an award of counsel fees from the gross classwide recovery, plus disbursements.

B. Request for a Service Award

12. I have not received, nor have I been promised or offered any financial incentive or compensation for serving as a Class Representative in the Action. Nevertheless, I understand that courts may authorize an award to a class representative relating to their representation of a class, and that the Class in this Action has been given notice of Plaintiffs' intention to seek Service Awards. I recognize that the grant of such an award is entirely in the Court's discretion.

13. The significant amount of time that I 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 and other Court filings—was time that I otherwise could have dedicated to other activities. My 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.

14. Accordingly, I respectfully request that the Court approve a service award in the amount of \$25,000, which is commensurate with my contributions as a Class Representative.

IV. CONCLUSION

15. I was actively involved in the prosecution and settlement of the claims in this Action, and based on that participation, I strongly endorse the Settlement as fair, reasonable, and adequate. The Settlement represents a significant recovery for the Class in light of the challenges and risks of the case. I therefore respectfully request that the Court approve Plaintiffs' motion for final approval of the Settlement. Based on our collective efforts on the Class's behalf, I also ask

that the Court grant Class Counsel's request for attorneys' fees and expenses, and my request for a Service Award.

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

Richard Dennis
Richard Dennis