

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

LASHAWN SHARPE, JIM CASTORO  
and STEVE DAILEY, individually and on  
behalf of all others similarly situated,

Plaintiffs,

-against-

A & W CONCENTRATE COMPANY and  
KEURIG DR PEPPER,

Defendants.

Case No.: 1:19-cv-00768-BMC

**FEDERAL CIVIL PROCEDURE RULE 23(e)(3) STATEMENT AND AGREEMENT  
BETWEEN CLASS COUNSEL AND DEFENDANTS REGARDING CLASS COUNSEL'S  
FEES AND EXPENSES**

Class Counsel Reese LLP and Sheehan & Associates, P.C. (“Class Counsel”) and defendants A&W Concentrate Company and Keurig Dr Pepper (“Defendants”) hereby agree that Class Counsel will move for \$3,225,000 for Class Counsel’s fees and expenses and that Defendants will not oppose Class Counsel’s motion for that amount.

**AGREED TO THIS 17<sup>th</sup> DAY of AUGUST, 2023 BY:**

**REESE LLP**

/s/ Michael R. Reese  
Michael R. Reese

**SHEEHAN & ASSOCIATES, P.C.**

/s/ Spencer Sheehan  
Spencer Sheehan

*Class Counsel*

**GIBSON, DUNN & CRUTCHER LLP**

/s/ Russell H. Falconer  
Russell H. Falconer

*Counsel for Defendants and on behalf of Defendants*