

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CHASE MORTIMER, Individually and on	)	Case No. 1:19-cv-01735
Behalf of All Others Similarly Situated,	)	<b>(Consolidated)</b>
	)	
Plaintiff,	)	<u>CLASS ACTION</u>
	)	
vs.	)	Honorable John F. Kness
	)	
DIPLOMAT PHARMACY, INC., et al.,	)	
	)	
Defendants.	)	
	)	
	)	

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DECLARATION OF COREY D. HOLZER FILED ON BEHALF OF HOLZER & HOLZER,  
LLC IN SUPPORT OF APPLICATION FOR AWARD OF ATTORNEYS' FEES AND  
EXPENSES

I, Corey D. Holzer, declare as follows:

1. I am a member of the firm of Holzer & Holzer, LLC. I am submitting this declaration in support of my firm's application for an award of attorneys' fees and expenses/charges ("expenses") in connection with services rendered in the above-entitled action.
2. This Firm is Co-counsel of record for plaintiff Eugene Klabak.
3. The information in this declaration regarding the firm's time and expenses is taken from time and expense printouts and supporting documentation prepared and maintained by the firm in the ordinary course of business. I am the partner who oversaw and conducted the day-to-day activities in the litigation. I reviewed these printouts (and backup documentation where necessary or appropriate) 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 and expenses committed to the litigation. As a result of this review, reductions were made to both time and expenses in the exercise of billing judgment. Based on this review and the adjustments made, I believe that the time reflected in the firm's lodestar calculation and the expenses for which payment is sought as set forth in this declaration are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the litigation.
4. After the reductions referred to above, the number of hours spent on this litigation by my Firm is 42.75. A breakdown of the lodestar is provided in Exhibit A. The lodestar amount for attorney time based on the firm's current rates is \$34,468.75. The hourly rates shown in Exhibit A are consistent with hourly rates submitted by the firm in other securities class action litigation. The firm's rates are set based on periodic analysis of rates charged by firms performing comparable work both on the plaintiff and defense side.

5. My Firm seeks an award of \$410.44 in expenses and charges in connection with the prosecution of the litigation. Those expenses and charges are summarized by category in Exhibit B.

6. The following is additional information regarding certain of these expenses:

(a) Class Action Notices/Business Wire: \$252.00.

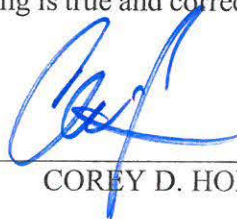
(b) Photocopies: \$21.25. In connection with this case, the firm made 85 in-house photocopies, charging \$0.25 per copy for a total of \$21.25. Each time an in-house copy machine is used, our billing system requires that a case or administrative billing code be entered and that is how the 85 copies were identified as related to this case.

(c) Online Legal and Financial Research: \$137.19. This category includes vendors such as Westlaw. These resources were used to obtain access to SEC filings, factual databases and legal research. This expense represents the expense incurred by Holzer & Holzer, LLC for use of these services in connection with this litigation. The charges for these vendors vary depending upon the type of services requested.

7. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

8. The identification and background of my firm and its partners is attached hereto as Exhibit C.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 15th day of April, 2022, at Atlanta, Georgia.



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COREY D. HOLZER

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on May 2, 2022, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ FRANK A. RICHTER

FRANK A. RICHTER

ROBBINS GELLER RUDMAN

& DOWD LLP

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Chicago, IL 60606

Telephone: 312/674-4674

312/674-4676 (fax)

Email: frichter@rgrdlaw.com

## **Mailing Information for a Case 1:19-cv-01735 Iron Workers Local No. 25 Pension Fund, et al., v. Diplomat Pharmacy, Inc. et al**

### **Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

- **James E Barz**  
jbarz@rgrdlaw.com, cbarrett@rgrdlaw.com, e\_file\_sd@rgrdlaw.com
- **James Wallace Ducayet**  
jducayet@sidley.com, james-ducayet-9115@ecf.pacerpro.com, efilingnotice@sidley.com
- **Lori Ann Fanning**  
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- **Cameran Gilliam**  
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- **Matthew Todd Hurst**  
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- **Carl V. Malmstrom**  
malmstrom@whafh.com
- **Marvin Alan Miller**  
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- **Danielle S. Myers**  
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- **Theodore J. Pintar**  
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- **Andrew Flynn Rodheim**  
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- **Nilofer Ibrahim Umar**  
numar@sidley.com, efilingnotice@sidley.com, nilofer-umar-6698@ecf.pacerpro.com

### **Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

**INDEX OF EXHIBITS TO DECLARATION OF COREY D. HOLZER FILED ON  
BEHALF OF HOLZER & HOLZER, LLC IN SUPPORT OF APPLICATION FOR  
AWARD OF ATTORNEYS' FEES AND EXPENSES**

**Document**

**Exhibit**

Time Report

A

Expenses/Charges Report

B

Holzer & Holzer, LLC Firm Resume

C

# **EXHIBIT A**

**EXHIBIT A**

*Mortimer v. Diplomat Pharmacy, Inc., et al.*, No. 1:19-cv-01735

HOLZER & HOLZER, LLC

Inception through April 13, 2022

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Corey D. Holzer	(P)	23.75	\$875	\$20,781.25
Marshall P. Dees	(P)	16.25	\$745	\$12,106.25
Joshua A. Karr	(A)	2.75	\$575	\$1,581.25
<b><i>TOTAL</i></b>		<b><i>42.75</i></b>		<b><i>\$34,468.75</i></b>

(P) Partner

(A) Associate



# **EXHIBIT B**

**EXHIBIT B**

*Mortimer v. Diplomat Pharmacy, Inc., et al.*, No. 1:19-cv-01735

HOLZER & HOLZER, LLC

Inception through April 13, 2022

<i><b>CATEGORY</b></i>		<i><b>AMOUNT</b></i>
Class Action Notices/Business Wire		\$252.00
Photocopies		
In-House: (85 copies at \$0.25 per page)		\$21.25
Online Legal and Financial Research		\$137.19
<i><b>TOTAL</b></i>		<i><b>\$410.44</b></i>

# **EXHIBIT C**

**EXHIBIT C**

**FIRM RÉSUMÉ**

HOLZER & HOLZER, LLC is an Atlanta, Georgia complex litigation firm that dedicates its practice to the enforcement of the rights that federal and state laws afford investors harmed by the misconduct of others. Since its inception in 2000, our firm has established an excellent reputation for innovative representation of its clients.

Our attorneys have varied and noteworthy experience prosecuting class action litigation pursuant to the Securities Act of 1933 and the Securities Exchange Act of 1934. We have recovered tens of millions of dollars on behalf of investors through shareholder class litigation. The firm's attorneys also have significant experience prosecuting claims in derivative litigation arising from breaches of fiduciary duties under state law.

We represent clients in federal courts nationwide and serve in court-appointed leadership roles in many of these cases. We take great pride in our aggressive advocacy, efficiency, and professionalism in the conduct of our clients' cases. We offer our clients a personalized approach to complex litigation which, because of its size and complex nature, can be a daunting prospect to investors. Through unyielding dedication, hard work, and creativity, we have achieved notable successes on behalf of our clients.

## Examples of Present Leadership Roles

**Blake v. Canoo, Inc., et al.,** Case No. 21-cv-2873-FMO (C.D. Cal.) (Firm is serving as Co-Lead Counsel in shareholder class action alleging violations of the anti-fraud provisions of the Securities Exchange Act of 1934)

**Davis v. Yelp, Inc., et al.,** Case No. 18-CV-400-EMC (N.D. Cal.) (Firm is serving as Co-Lead Counsel in shareholder class action alleging violations of the anti-fraud provisions of the Securities Exchange Act of 1934)

**In re Neovasc Inc. Sec. Litig.,** Case No. 7:20-cv-9313-PMH (S.D.N.Y.) (Firm is serving as Co-Lead Counsel in putative shareholder class action alleging violations of the anti-fraud provisions of the Securities Exchange Act of 1934)

**Kendall v. Odonate Therapeutics, Inc., et al.,** Case No. 3:20-cv-1828-H-LL (S.D.Cal.) (Firm is serving as Co-Lead Counsel in shareholder class action alleging violations of the anti-fraud provisions of the Securities Exchange Act of 1934)

## Examples of Firm's Achievements

**Peralta v. Grana y Montero S.A.A., et al.,** Case No. 17-cv-1105-LDH (E.D.N.Y.) (Firm served as Co-Lead Counsel in securities fraud class action and achieved settlement creating common fund in the amount of \$20 million)

**Enriquez v. Nabriva Therapeutics, PLC, et al.,** Case No. 19-cv-4183-VM (S.D.N.Y.) (Firm served as Co-Lead Counsel in securities fraud class action and achieved settlement creating common fund in the amount of \$3.0 million)

**Galestan v. OneMain Holdings, Inc. et al.,** Case No. 17-cv-01016-VM (S.D.N.Y.) (Firm served as Co-Lead Counsel in securities fraud class action and achieved settlement creating common fund in the amount of \$9 million)

**Jiangchen v. Rentech, Inc., et al.,** Case No. 2:17-cv-1490-GW (C.D. Cal.) (Firm served as Co-Lead Counsel in securities fraud class action and achieved settlement creating common fund in the amount of \$2.05 million)

**Hutchins v. NBTY, Inc., et al. (NBTY, Inc. Securities Litig.),** Case No. 10-cv-2159 (LDW) (WDW) (E.D.N.Y.) (Firm served as Co-Lead Counsel in a securities fraud class action and achieved settlement creating common fund in the amount of \$6.0 million)

**Sgalambo v. McKenzie, et al.** (Canadian Superior Energy, Inc. Securities Litig.), Civil Action No. 1:09-cv-10087-SAS (S.D.N.Y.) (Firm served as Co-Lead Counsel in securities fraud class action and achieved settlement creating common fund in the amount of \$5.2 million)

**Frohman v. Allen, et al.** (Aaron's, Inc. Deriv. Litig.) Case No. 2014-CV-245817 (Ga. Sup. Ct., Fulton County) (Firm served as Lead Counsel in shareholder derivative action and achieved settlement that modified corporate governance practices in connection with hostile board proxy fight)

**Miller v. Anthony, et al.** (Synovus Financial Corp. Deriv. Litig.), Case No. 09-cv-1811-JOF (N.D. Ga.) (Firm served as Co-Lead Counsel in shareholder derivative action and achieved settlement creating dramatic corporate governance reforms)

**Mitchell v. Gozani, et al.** (Neurometrix Deriv. Litig.), Case No. 08-CV-10674-RWZ (D. Mass) (Firm served as Co-Lead Counsel in a derivative action and achieved settlement significantly enhancing the company's internal controls and corporate governance)

**Brenner et al. v. Future Graphics, LLC, et al.**, Case No. 1:06-CV-0362-CAP (N.D. Ga.) (Firm served as Co-Lead Counsel in class action alleging RICO violations and created a common fund of \$2.65 million on behalf of Class of victims of a business opportunity scam)

**In re IPO Sec. Litig.**, Master Docket No.: 21-MC-00092 (S.D.N.Y.) (Firm served on Discovery Steering Committee for 309 separate class actions alleging underwriters manipulated prices of securities that resulted in \$586 million global settlement)



## Attorney Biographies

### COREY D. HOLZER

Corey D. Holzer is a co-founder and the managing partner of the firm. Mr. Holzer graduated *cum laude* from the University of Florida with a Bachelor of Science in Journalism, where he graduated second in his class in the College of Journalism and Communications. Mr. Holzer then obtained his Doctor of Jurisprudence from Emory University School of Law, where he was selected as a finalist in Moot Court competition.

Mr. Holzer represents individuals and institutional investors in litigation alleging violations of federal and state securities laws, as well as breaches of fiduciary duties under the laws of various states. Mr. Holzer has an in-depth understanding of the rights and privileges of investors and is driven by a strong desire to provide personalized representation and counseling to victimized investors. Mr. Holzer continues to establish his reputation as a corporate watchdog and effective advocate for his clients.

Mr. Holzer is a member of the State Bar of Georgia. Mr. Holzer is admitted to practice before all Georgia State and Superior Courts, the Georgia Court of Appeals, the United States District Court for the Northern District of Georgia, and the United States Court of Appeals for the Eleventh Circuit. He has been admitted to practice in countless other federal and state courts to handle specific cases.

### **MARSHALL P. DEES**

Marshall P. Dees joined the firm in 2008 and became a partner in January 2016. Mr. Dees graduated *cum laude* from the University of Georgia's Terry College of Business, where he received a Bachelor of Business Administration in Management Information Systems. Mr. Dees also graduated *cum laude* from Georgia State University's College of Law where he served as a member of its Moot Court Board and Student Trial Lawyers Association and also served as a court-appointed mediator in the Fulton County Landlord-Tenant Program.

Since 2007, Mr. Dees has devoted his practice to securities class action litigation and has played an important role in recovering tens of millions of dollars for investors under the federal securities laws. Mr. Dees also represents investors seeking to enforce their rights under federal and state laws governing fiduciary duty, and he has helped design comprehensive corporate governance reforms on behalf of shareholders that have been implemented by public companies.

Mr. Dees is admitted to practice law in all Georgia State and Superior Courts, the Georgia Court of Appeals, the Supreme Court of Georgia, the United States District Courts for the Northern and Middle Districts of Georgia and the 11<sup>th</sup> Circuit Court of Appeals. Mr. Dees has appeared *pro hac vice* on behalf of investors in litigation pending in courts across the country.



**JOSHUA A. KARR**

Joshua A. Karr graduated *summa cum laude* from the University of Central Florida with a Bachelor of Arts in Political Science in 2013. After earning his undergraduate degree, Mr. Karr attended Emory University School of Law, where he graduated *with honors* in 2016. While attending Emory Law, Mr. Karr was a member of the Moot Court Society and served as a Managing Editor of the *Emory Corporate Governance and Accountability Review*.

Mr. Karr is an associate at Holzer & Holzer LLC, joining the firm in the Summer of 2021. Mr. Karr represents investors in litigation alleging violations of the federal securities laws and breaches of fiduciary duties under the laws of various states. Before joining Holzer & Holzer, Mr. Karr worked for a nationally renowned law firm where his practice focused on representing plaintiffs in products and pharmaceutical liability litigation, class actions and mass torts, helping to recover millions on behalf of injured clients.

Mr. Karr is a member of the State Bars of Georgia and Florida and admitted to practice law before all Georgia State and Superior Courts and all Florida State and Circuit Courts, as well as the Northern District of Georgia, the Northern District of Florida, and the Southern District of Florida.

**GILBERT S. HOLZER**

Now retired, Gilbert S. Holzer is co-founder of the firm. Mr. Holzer received a Bachelor of Arts degree with honors in political science and economics from Sir George Williams University (now Concordia University) in Montreal, Quebec. He then obtained his Bachelor of Civil Law from McGill University in Montreal, where he graduated second in his class. Thereafter, Mr. Holzer obtained his Bachelor of Laws from McGill University where he graduated first in his class. Mr. Holzer served on the Editorial Board of the McGill Law Journal and on its Moot Court Board, and also served as counsel to the Judicial Committee, which represented the student body of McGill University.

Upon his graduation from law school, Mr. Holzer co-founded the law firm of Salomon, Holzer & Mager in Montreal, Quebec, concentrating his practice in civil litigation. After he moved to Atlanta, Mr. Holzer practiced law with Arnall Golden & Gregory LLP. He later formed his own general practice, and ultimately co-founded this firm with his son, Corey D. Holzer.

Mr. Holzer is a former member of the Bar of the Province of Quebec and a current member of the State Bar of Georgia. He is admitted to practice before all Georgia State and Superior Courts, the Georgia Court of Appeals and the United States District Court for the Northern District of Georgia. Mr. Holzer serves as a guest lecturer in the School of Public and International Affairs at the University of Georgia.