

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

Elizabeth Schaf and Thomas Scarber, individually and as a representative of a class of similarly situated persons, and on behalf of the Seventh Amended and Restated Owens-Illinois, Inc. Long-Term Savings Plan and Eighth Amended and Restated Owens-Illinois, Inc. Stock Purchase and Savings Program,

Plaintiffs,

v.

O-I Glass, Inc. and Owens-Illinois Employee Benefits Committee,

Defendants.

Case No. 3:22-cv-01240-JZ

Judge Jack Zouhary

CLASS ACTION

**PLAINTIFF'S NOTICE OF
MOTION AND MOTION FOR
ATTORNEYS' FEES AND
COSTS, ADMINISTRATIVE
EXPENSES, AND CLASS
REPRESENTATIVES'
COMPENSATION AWARDS**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on Thursday, August 15, 2024, 2:00 p.m., before the Honorable Jack Zouhary, United States District Judge, in Courtroom 203, James M. Ashley and Thomas W.L. Ashley U.S. Courthouse, 1716 Spielbusch Ave., Toledo, Ohio, Plaintiffs Elizabeth Schaf and Thomas Scarber will and hereby do move this Court for an Order awarding: (1) attorneys' fees to Class Counsel in the amount of \$1,666,666.67 (one-third of the \$5 million Qualified Settlement Fund); (2) reimbursement of \$25,683.39 in litigation costs; (3) \$51,297 in settlement administration expenses; and (4) settlement class representatives' compensation awards in the amount of \$5,000 to each of the Class Representatives (\$10,000 total).

This motion is made under Federal Rule of Civil Procedure 23(h) and Article 7 of the Parties' Class Action Settlement Agreement, *ECF No. 49-3*, and is based on the accompanying Memorandum of Law and authorities cited therein, the Declaration of Brock J. Specht and exhibits thereto, the previously filed declarations of the Class Representatives, *ECF Nos. 49-6, 49-7*, the

previously filed declaration of Brock J. Specht, *ECF No. 49-2*, the Settlement Agreement, and all files, records, and proceedings in this matter.

Pursuant to Article 7 of the Settlement Agreement, Defendants do not take any position with respect to this motion. As of the filing of this motion, there have been no objections to the proposed attorneys' fees and costs, Settlement Administrative Expenses, or Class Representative Awards.

Respectfully submitted,

Dated: June 17, 2024

NICHOLS KASTER, PLLP

By: /s/ Brock J. Specht
Paul J. Lukas, MN Bar No. 022084X*
Brock J. Specht, MN Bar No. 0388343*
Steven J. Eiden, MN Bar No. 0402656*
* *admitted pro hac vice*
4700 IDS Center
80 S 8th Street
Minneapolis, MN 55402
Telephone: 612-256-3200
Facsimile: 612-338-4878
plukas@nka.com
bspecht@nka.com
seiden@nka.com

BARKAN MEIZLISH DEROSE COX, LLP

Robert E. DeRose (OH #0055214)
4200 Regent Street Suite 210
Columbus, OH 43219
Telephone: (614) 221-4221
Facsimile: (614) 744-2300
bderose@barkanmeislish.com

Counsel for Plaintiffs and the proposed Class