

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

IN RE NORTSHORE UNIVERSITY	)	No. 07-CV-4446
HEALTHSYSTEM ANTITRUST	)	
LITIGATION	)	Judge Edmond E. Chang

**PLAINTIFF’S MOTION FOR AN ORDER APPROVING DISTRIBUTION OF THE
SETTLEMENT FUND AND FOR FEES AND COSTS**

Plaintiff moves this Court to Authorize Distribution of the Net Settlement Fund to the Class. In support of this motion, Plaintiff relies on the accompanying declaration of Eric J. Miller along with accompanying exhibits, and the record in this matter. A proposed form of an order is attached.

Pursuant to the Court’s *Order Preliminarily Approving Settlement and Providing for Notice of Settlement* dated January 24, 2024 (ECF No. 1240) (the “Preliminary Approval Order”), the Court authorized A.B. Data to act as the Notice and Claims Administrator for the Settlement in this case. The Court granted final approval of the Settlement with NorthShore University HealthSystem (“NorthShore”) in its *Final Order and Judgment* on May 6, 2024 (ECF No. 1255).

1. As detailed in the accompanying *Declaration of Eric J. Miller on Behalf of A.B. Data, Ltd. For An Order Authorizing Distribution* (“E.J. Miller Declaration”), A.B. Data completed the Court-approved Notice Plan to inform members of the Class about the Settlement.

2. As described in the Court-approved Plan of Allocation (see ECF Nos. 1237-4 and 1255 at ¶ 9), A.B. Data administered the claims for the Consumer Class and Third-Party Payor Class. In his E.J. Miller Declaration, Mr. Miller describes how the Notice was disseminated to members of the Class (¶¶ 6-8), the procedures followed to administer the claims (¶¶ 9-27), the results of the claims administration process and the recommendation for approval and rejection of certain claims (¶¶ 28-31), and future action for distribution (¶¶ 32-33).

3. Additionally, Eric J. Miller provides information regarding the fees and expenses incurred and the outstanding balance owed to A.B. Data for the administration of the Settlement Fund. In pertinent part, Mr. Miller states:

Through May 15, 2026, A.B. Data has provided invoices to Lead Counsel for the work it performed to provide notice and claims administration regarding the Settlement. A.B. Data has incurred fees and expenses of \$819,434.92. A.B. Data's estimates fees and expenses, including for the work to complete this distribution, will be \$62,417.50. To date, A.B. Data has received \$309,101.00 for its invoices. Accordingly, there is an outstanding balance of \$572,751.42 payable to A.B. Data from the Settlement Fund, which includes the estimate for completing distribution.

Id. at ¶ 35.

REQUEST FOR ADDITIONAL LEAD COUNSEL FEES

4. In the Notice approved by the Court and disseminated to the Class, members of the Class were informed that Lead Counsel may seek additional attorneys' fees and reimbursement of expenses in connection with the administration and preservation of the Settlement Fund. The notice provides:

16. How can I get a payment? ... If the Court approves the Settlement, Lead Counsel may also request additional attorneys' fees and reimbursement of expenses in connection with the administration and preservation of the Settlement Fund. If the Court grants Lead Counsel's requests, these amounts would be deducted from the Settlement Fund. You will not have to pay these fees, expenses, and costs out of your own pocket. The administrative expenses for the Settlement will also be paid out of the Settlement Fund.¹

5. During claims administration, Lead Counsel provided oversight of the Claims administrator, communicated with the Escrow Agent and oversaw the investment of the Settlement Fund, responded to numerous inquiries from members of the Class and their counsel, and protected the Settlement Fund from unlawful claims and defended challenges to the administration of the

¹ See <https://northshoreantitrustlitigation.com/docs/NorthShore%20LF%20Notice.pdf> (Long Form Notice) (last visited Oct. 8, 2026).

claims and claims process. In total, since May 6, 2024, when the Court approved the settlement, through this date, Lead Counsel provided 88.1 hours of additional services with a lodestar value of \$81,485.

Wherefore, Plaintiff's and the Class' Lead Counsel request the Court:

- A. Approve the Recommendations for Approval and Rejection of claims set forth in the Declaration of Eric J. Miller;
- B. Approve the additional fees and expenses of the Claims Administrator in the sum of \$572,751.42;
- C. Approve the additional fees requested by Lead Counsel in the sum of \$81,485.00; and
- D. Approve the Distribution Plan proposed by the Claims Administrator as set forth in the Declaration of Eric J. Miller.

October 8, 2026

Respectfully submitted,

Plaintiff and the Class

By: /s/ Marvin A. Miller

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