

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re PEGASYSTEMS INC. SECURITIES
LITIGATION

) No. 1:22-cv-11220-WGY
)
) DECLARATION OF JONATHAN M.
PETTY FILED ON BEHALF OF CITY OF
FORT LAUDERDALE POLICE AND
FIREFIGHTERS RETIREMENT SYSTEM
IN SUPPORT OF APPLICATION FOR
AWARD OF ATTORNEYS' FEES AND
EXPENSES

I, Jonathan M. Petty, declare as follows:

1. I am a member of the firm of Phelan Petty, PLC (the “Firm”). I am submitting this declaration in support of the application for an award of attorneys’ fees and expenses/charges (“expenses”) in connection with services rendered in the above-entitled action.

2. This Firm was Local counsel of record for plaintiff City of Fort Lauderdale Police and Firefighters Retirement System in the U.S. District Court, Eastern District of Virginia prior to this matter being transferred.

3. The information in this declaration regarding the Firm’s time and expenses is taken from time and expense reports and supporting documentation prepared and/or maintained by the Firm in the ordinary course of business. I am the partner who oversaw and/or conducted the day-to-day activities in the litigation, and I reviewed these reports (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 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 herein are reasonable and were necessary for the effective and efficient prosecution and resolution of the litigation.

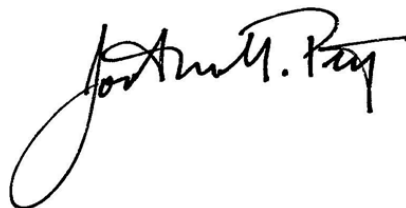
4. After the reductions referred to above, the number of hours spent on the litigation by my Firm is 5.8. A breakdown of the lodestar is provided in Exhibit A. The lodestar amount for attorney/paraprofessional time based on the Firm’s current rates is \$2,900.00. The hourly rates shown in Exhibit A are 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 does not seek an award of expenses or charges in connection with the prosecution of the litigation.

6. The identification and background of my Firm and its partners is attached hereto as Exhibit B.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 6th day of August, 2024, at Richmond, Virginia.

A handwritten signature in black ink, appearing to read "Jonathan M. Petty". The signature is written in a cursive style with a large loop at the beginning.

JONATHAN M. PETTY

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 15, 2024.

/s/ Chad Johnson

CHAD JOHNSON

EXHIBIT A

EXHIBIT A*In re Pegasystems Inc. Securities Litigation*, No. 1:22-cv-11220-WGY

PHELAN PETTY, PLC

Inception through 8/6/2024

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Jonathan M. Petty	(P)	5.8	500.00	\$2,900.00
	(P)			
	(A)			
	(A)			
Paralegals				
Shareholder Relations				
<i>TOTAL</i>				<i>\$2,900.00</i>

(P) Partner

(A) Associate

EXHIBIT B

EXHIBIT B

PHELAN PETTY, PLC FIRM RESUME

Phelan Petty, PLC is a Virginia law firm engaged in general civil practice primarily involving litigation. It has extensive experience in state and federal courts, and its members have appeared in all U.S. District Courts in the Commonwealth of Virginia and in the U.S. District Court for the Northern District of Georgia. Its members have also made appearances *pro hac vice* in the U.S. District Court for the Eastern District of Louisiana, the U.S. District Court for the Northern District of Ohio (Western Division), the U.S. District Court for the Northern District of Texas (Dallas Division), U.S. District Court for the District of Arizona, and U.S. District Court for the Southern District of Indiana, among others. In addition to single event complex personal injury cases, the principals and partners in the firm often represent plaintiffs in multi-district litigation involving mass torts nationwide. The firm is regularly recognized in U.S. News and World Report's listing of Best Law Firms in the areas of Medical Malpractice Law – Plaintiff, Product Liability Litigation – Plaintiff, Personal Injury Litigation – Plaintiff, and Mass Tort Litigation/Class Actions - Plaintiff.

Jonathan M. Petty

Jonathan Petty is a principal and partner with Phelan Petty. He practices in the areas of state and federal litigation with a focus on complex medical malpractice and product liability actions.

Mr. Petty received a Bachelor of Arts in English from Duke University in 1991 and graduated from the Emory University School of Law in 1994. He has been regularly recognized by peers for inclusion in Best Lawyers and in the Virginia Super Lawyers magazine in the areas of “Personal Injury Medical Malpractice Law: Plaintiff” and “Top 100 Virginia Lawyers.”

Michael G. Phelan

Michael Phelan is a principal and partner with Phelan Petty. He practices in the areas of state and federal litigation with a focus on product liability, mass torts and complex personal injury actions.

Mr. Phelan graduated cum laude from Ohio Wesleyan University with a Bachelor of Arts in Economics in 1984 and earned his law degree from University of Richmond

EXHIBIT B

PHELAN PETTY, PLC FIRM RESUME

Law School in 1987. He has been regularly recognized by peers for inclusion in Best Lawyers and in the Virginia Super Lawyers magazine in the areas of “Personal Injury General: Plaintiff” and “Top 100 Virginia Lawyers.”

Representative complex litigation matters include: Skochin et al. v. Genworth Life Insurance Company et al., U.S. District Court EDVA, Civil Action No. 3:19-cv-49 REP (Class Counsel); Halcom et al. v. Genworth Life Insurance Company et al., U.S. District Court EDVA, Civil Action No. 3:21-cv-19 REP (Class Counsel); In re: Interior Molded Doors Antitrust Litigation, U.S. District Court EDVA, Lead Civil Action No. 3:18-cv-718-JAG (local counsel for individual plaintiffs, pending); Xarelto Product Liability Litigation, U.S. District Court EDLA, MDL 2592 (counsel for plaintiffs, pending); In re: Bard IVC Filters Product Liability Litigation, U.S. District Court for the District of Arizona, MDL 2641 (counsel for plaintiffs, pending); In re: Cook Medical Inc., IVC Filters Marketing, Sales Practices, and Product Liability Litigation, U.S. District Court SDIN, MDL 2570 (counsel for plaintiffs, pending); DePuy Orthopaedics, Inc. ASR Hip Implant Products Liability Litigation, U.S. District Court, NDOH, Western Division MDL No. 2197 (counsel for plaintiffs); DePuy Orthopaedics, Inc. Pinnacle Hip Implant Products Liability Litigation, U.S. District Court, NDTX, Dallas Division, MDL No. 2244 (counsel for plaintiffs)