IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

P.I.T. RETRIEVALS, LLC,

Plaintiff,

vs.

HEALTHPORT TECHNOLOGIES, LLC,

Defendant.

CIVIL DIVISION

CASE NO. GD-13-023729

CONSENT MOTION FOR APPROVAL OF ATTORNEYS' FEES AND COSTS AND APPROVAL OF SERVICE AWARD TO REPRESENTATIVE PLAINTIFF

Filed on Behalf of: Plaintiff

Counsel of Record for this Party:

Edward I. Levicoff, Esquire
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JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

P.I.T. RETRIEVALS, LLC, CIVIL DIVISION

Plaintiff, No. GD-13-023729

vs.

HEALTHPORT TECHNOLOGIES, LLC,

Defendant.

CONSENT MOTION FOR APPROVAL OF ATTORNEYS' FEES AND COSTS AND APPROVAL OF SERVICE AWARD TO REPRESENTATIVE PLAINTIFF

The Representative Plaintiff, by and through its undersigned counsel, and with the consent of the Defendant, hereby moves the Court for Approval of Plaintiffs' Attorneys' Fees and Costs and Class Representative Award. In further support of this motion, the Plaintiffs hereby submit: 1) a Memorandum of Law in Support of the Motion for Approval of Attorneys' Fees and Costs and Service Award; and 2) a Declaration of Plaintiffs' Counsel which attests to and sets forth his background and experience in class litigation and the time and efforts expended in this litigation.

WHEREFORE, the Parties hereby request that the Court enter the proposed Order Approving Payment of Attorneys' Fees and Costs and Approval of Service Award to Representative Plaintiff, contingent upon entry of Final Judgment Approving Settlement. The proposed Order is attached to this Motion.

Respectfully submitted:

Dated: October 16, 2026

By: _____

Edward I. Levicoff, Esquire
ELevicoff@LevicoffLaw.com

Pa. I.D. #200108
THE LEVICOFF LAW FIRM, P.C.
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Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

P.I.T. RETRIEVALS, LLC, CIVIL DIVISION

Plaintiff, No. GD-13-023729

vs.

HEALTHPORT TECHNOLOGIES, LLC,

Defendant.

ORDER APPROVING PAYMENT OF ATTORNEYS' FEES AND COSTS AND APPROVAL OF SERVICE AWARD TO REPRESENTATIVE PLAINTIFF

This matter is before the Court on the Plaintiff's Consent Motion for Approval of Attorneys' Fees and Costs and Approval of Service Award to Representative Plaintiff;

WHEREAS, the Parties have submitted a Motion for an order approving the Settlement to thus action in accordance with the terms of the Class Settlement Agreement and Release ("Settlement Agreement") executed July 23, 2026.

The Court, having reviewed the Settlement Agreement entered into by the parties, hereby finds as follows:

1. Courts routinely approve incentive awards to compensate a named plaintiff for the services they provided and the risks they incurred during the course of the class action litigation. Upon consideration of the Plaintiff's Motion for Award and Approval of Attorneys' Fees/Costs and the supporting materials submitted in support of the Motion, the payment of $2,500 provided to P.I.T. is within the range of incentive awards authorized in consumer class actions.

2. Upon consideration of the Plaintiff's Motion for Award and Approval of Attorneys' Fees/Costs and the supporting materials submitted in support of the Motion, the Court finds that the $65,906.80 in fees and costs, as negotiated by the parties, is reasonable and appropriate. In so holding, the Court has considered and reviewed the Plaintiffs' Counsel's

Motion, Brief, and Declaration in support of the request for approval of attorneys' fees and costs in this matter and finds that Plaintiffs' Counsel's request is reasonable under the factors set forth in Pa.R.Civ.P. 1717.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. The Court hereby grants the request for a Class Representative Award of $2,500 to P.I.T. The Class Representative payment will be paid to Plaintiff as provided in the Settlement Agreement.

2. Plaintiff's Counsel are hereby awarded $65,906.80 in attorneys' fees, costs, and expenses to be paid by Defendant pursuant to the Settlement Agreement.

3. Each of the above shall be contingent upon the entry of Final Judgment Approving Class Settlement.

SO ORDERED this ____ day of _____, 2026.

BY THE COURT:

_____J.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

P.I.T. RETRIEVALS, LLC, CIVIL DIVISION

Plaintiff, No. GD-13-023729

vs.

HEALTHPORT TECHNOLOGIES, LLC,

Defendant.

DECLARATION OF EDWARD I. LEVICOFF IN SUPPORT OF THE CONSENT MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND FOR APPROVAL OF ATTORNEYS' FEES AND COSTS

I, Edward I. Levicoff, Esq., hereby declare as follows:

1. I am a current partner and Vice President at the Levicoff Law Firm, P.C.

2. We have at all times served as the Plaintiff's counsel in the above-captioned case.

3. I graduated with an undergraduate degree from Northwestern University in 2002.

4. I graduated with a juris doctor degree from the University of Pittsburgh School of Law in 2005, with a cum laude distinction.

5. I have been a member in good standing of the bars of the Commonwealth of Pennsylvania since 2005 and the State of West Virginia since 2014.

6. I am admitted to practice before the United States Supreme Court, as well as the Third, Fourth, and Federal Circuit Courts of Appeal.

7. I am also admitted to practice in the United States District Courts for the Eastern and Western Districts of Pennsylvania, the Northern and Southern Districts of West Virginia, and the Eastern District of Wisconsin.

8. I am also admitted to practice before the United States Court of Federal Claims.

I. Class Counsel's Judgment that the Settlement Satisfies the Standards of Fairness, Reasonableness and Adequacy

9. Based upon combined background and experience in trial and class action litigation of Plaintiff's Counsel (set forth below), it is my belief that the Settlement would satisfy the requirement that a class action settlement be fair, reasonable and adequate.

10. The proposed settlement was reached at a point in the litigation where the Parties have a clear understanding of the factual basis for the claims and defenses.

11. The Class Plaintiffs face risks that the jury would find that Defendant did not breach an implied contract by reason of the voluntary payment defense or that Defendants charges were based upon estimated actual costs. The Class Plaintiffs face a risk that any verdict obtained at trial could be reversed on appeal. The Class Plaintiffs face a risk that a class could not be subject to class certification.

12. The settlement, nonetheless, provides an assured return of an amount that a jury could reasonably award. The settlement therefore provides relief well within the range of relief that could be obtained at trial.

13. In Plaintiffs' Counsel's judgment, future proceedings would take a long time and would be costly. Future proceedings would include a trial on the merits, possible additional objections to class certification, and, given the novel legal issues presented, an appeal.

14. Given the legal and factual difficulties going forward and the fact that the settlement provides much of the relief that could be obtained at trial it is the opinion of Class Counsel that the settlement is fair, reasonable, and adequate.

II. Background and Experience

15. Since 2005 I have been a practicing attorney employed by the Levicoff Law Firm, P.C. or its predecessors.

16. I and our law firm served as defense counsel in Wayne M. Chiurazzi Law Inc. v. Duplications Inc., GD-10-004369, a putative class action lawsuit filed in the Allegheny County Court of Common Pleas alleging that persons in Pennsylvania or their agents were overcharged in obtaining copies of their medical records by medical record reproduction companies under the Pennsylvania Medical Records Act.

17. Our law firm has also participated as counsel in numerous other class action lawsuits, including but not limited to Bonds v. GMS Mine Repair and Maintenance, Inc., C.A. No. 2:13-CV-01217 (W.D. Pa.), McGraw, et al. v. Chancellor Sr. Mgmt., Ltd., 16-C-698-D (Raleigh County, West Virginia), Williams, et al. v. Dan Ryan Builders, et al., CC-17-2009-C-57 (Harrison County, West Virginia), McCullough v. Stryker Orthopedics, et al., GD-09-010725 (Allegheny County, Pennsylvania).

III. Attorney Time and Effort

18. Plaintiff's Counsel expended significant time over a period of the last 13 years litigating this case in this Court.

19. This matter was litigation in this court for many years, as the docket reflects.

IV. Costs of Litigation

20. During the course of this litigation Plaintiff's Counsel expended money on the costs of the litigation. The costs incurred by Plaintiff's Counsel, according to his records, amount to $180.07.

21. I verify that the statements in this Declaration are true and correct to the best of my knowledge, information, and belief; that the statements in this Declaration are made from firsthand personal knowledge except where indicated otherwise; and that the statements in this Declaration are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities, and subject to penalty of perjury.

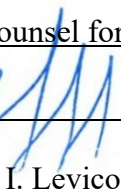
Dated: October 16, 2026

By: _____
Edward I. Levicoff, Esquire

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the Public Access Policy of the *Unified Judicial System of Pennsylvania Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Counsel for Plaintiff

Signature: 

Name: Edward I. Levicoff, Esquire

Attorney No.: 200108

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Plaintiff, No. GD-13-023729

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within ***Consent Motion For Approval Of Attorneys' Fees And Costs And Approval Of Service Award To Representative Plaintiff*** has been served upon the following counsel via email only:

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Counsel for Defendant

Dated: October 16, 2026 By: _____

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