FILED
2026 Sep-18 PM 04:36
U.S. DISTRICT COURT
N.D. OF ALABAMA

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA MIDDLE DIVISION**

| | | |
|---|---|---|
| CYNTHIA PERRY, *individually and on behalf of all others similarly situated*, | ) | |
| Plaintiff, | ) | Case No. 4:25-cv-00521-CLM |
| v. | ) | |
| ALATRADE FOODS, INC., | ) | |
| Defendant. | ) | |

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**PLAINTIFF'S MOTION FOR ATTORNEYS' FEES, GENERAL RELEASE PAYMENT TO PLAINTIFF, AND LITIGATION COSTS**

Plaintiff Cynthia Perry, individually and on behalf of the Settlement Class, respectfully moves under Federal Rule of Civil Procedure 23(h), 29 U.S.C. § 2104(a)(6), and the Settlement Agreement for an award of attorneys' fees in the amount of $166,666.67, representing one-third of the $500,000.00 Settlement Fund, plus reimbursement of $3,794.40 in reasonable litigation costs incurred in prosecuting this action. ECF No. 18-6, Settlement Agreement ¶¶ 71–72. Plaintiff also seeks approval of the $1,500.00 general release payment contemplated by the Settlement Agreement and approval of $17,500.00 in Settlement Administrator's Expenses. The Settlement Agreement provides that the Settlement Administrator's fees are Settlement Administrator's Expenses and that those expenses are paid from

the Settlement Fund. *Id*. ¶¶ 59–61. The requested attorneys' fees, litigation costs, payment to the named Plaintiff, and Settlement Administrator's expenses are supported by the contemporaneously filed Declaration of J. Gerard Stranch, IV and Memorandum in Support of this Motion.

Plaintiff's counsel has conferred with counsel for Defendant regarding the relief sought in this Motion. Defendant's counsel does not oppose the requested relief and filing thereof.

WHEREFORE, Plaintiff respectfully requests that the Court enter an order awarding (1) $166,666.67 in attorneys' fees; (2) $3,794.40 in litigation costs; (3) the $1,500.00 general release payment to named Plaintiff, Cynthia Perry; and (4) $17,500.00 in Settlement Administrator's expenses, all payable from the Settlement Fund in accordance with the Settlement Agreement.[1]

Dated: September 18, 2026

Respectfully submitted,

*Hirlye R. Lutz*
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F. Jerome Tapley (ASB-0583-A56T)
Hunter Phares (ASB-5406-G38V)
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[1] Plaintiff will submit a proposed order along with the final approval motion that addresses this request for relief.

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*Counsel for Plaintiff and the Settlement Class*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of September, 2026, I filed the foregoing with the Clerk of Court using the CM/ECF System, which will send notice of such filing to all registered CM/ECF users, including counsel for Defendant.

*Hirlye R Lutz*
Hirlye R. Lutz, III