

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

MYA BATTON, AARON BOLTON,
MICHAEL BRACE, DO YEON IRENE KIM,
ANNA JAMES, JAMES MULLIS,
THEODORE BISBICOS, and DANIEL
PARSONS, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

THE NATIONAL ASSOCIATION OF
REALTORS, ANYWHERE REAL ESTATE, INC.
FORMERLY KNOWN AS REALOGY HOLDINGS
CORP., RE/MAX LLC, and KELLER WILLIAMS
REALTY, INC.,

Defendants.

Case No. 1:21-cv-00430 (LAH)

**DECLARATION OF CHRISTOPHER M. BURKE IN SUPPORT OF
CLASS COUNSEL’S MOTION FOR AN AWARD OF
ATTORNEYS’ FEES AND PAYMENT OF LITIGATION EXPENSES,
AND PLAINTIFFS’ REQUEST FOR SERVICE AWARDS**

I, Christopher M. Burke, hereby declare:

1. I am a Partner at the law firm of Burke LLP (“Burke”), counsel for Plaintiffs and the Settlement Classes. I make this Declaration in support of Class Counsel’s Motion for an Award of Attorneys’ Fees and Payment of Litigation Expenses, and Plaintiffs’ Request for Service Awards (“Fee and Expense Application”) filed concurrently herewith. I have personal knowledge of the matters stated herein and, if called upon to testify to those facts, I could and would do so competently.

2. At all times relevant hereto, Burke served as allocation counsel for purposes of the Settlements in the above-captioned action (the “Action”). Unless otherwise defined, capitalized terms herein have the same meaning as in the Settlement Agreements between Plaintiffs and Keller Williams Realty, LLC (“Keller Williams”) and RE/MAX LLC (“RE/MAX”).

3. The statements herein are true to the best of my personal knowledge, information, and belief based on the books and records of Burke and information received from Burke’s attorneys and staff.

4. As detailed in Burke’s resume submitted in connection with Plaintiffs’ Motion for Preliminary Approval of the Proposed Distribution Plan (ECF No. 276-4), Burke has extensive experience prosecuting antitrust and other complex class actions.

5. The schedules attached as **Exhibit A** summarize the hours and lodestar of Burke from inception of this Action to March 31, 2026. The total hours were determined by the examination of contemporaneous, daily time records regularly prepared and maintained by my firm. Lodestar calculations for the time incurred are based on the firm’s current hourly rates and were prepared based upon daily time records maintained by attorneys and professional support staff at the firm. Lodestar figures do not include charges for expense items. Burke’s time records have been reviewed to confirm both the accuracy of the entries as well as the necessity for and reasonableness of the time expended in this litigation. As a result of this review, certain reductions were made to time and lodestar, including writing off the hours a junior associate spent assisting with the tasks described in paragraph 8 below and attending the mediation, either in the exercise of billing judgment or to conform with my firm’s practice.

6. The time set forth in this Declaration does not include the hours Burke has spent or will spend preparing this Fee and Expense Application, assisting Class Counsel with briefing on final approval of the Settlement regarding allocation issues after March 31, 2026, or preparing for and attending the Settlement Hearing on July 28, 2026 should the Court or Class Counsel require Burke's participation.

7. The hourly rates for the attorneys and other professional support staff at my firm are the same as the usual and customary hourly rates used for their services in contingent matters and have been approved by other courts in similar matters. *See Corrente v. Charles Schwab Corp.*, No. 4:22-cv-00470-ALM (E.D. Tex. November 24, 2025), ECF No. 286 (Order awarding attorneys' fees, litigation expenses and serve awards). The total lodestar does not include charges for expense items.

8. The services Burke performed on behalf of the putative class include, but are not limited, the following:

- a. Reviewed relevant case materials and analyzed the key legal issues bearing on allocation, including the scope of the sellers' settlement release in *Burnett v. The National Association of Realtors*, No. 4:19-cv-00332-SRB (W.D. Mo.), and the potential impact of the pending Eighth Circuit appeal, *Burnett v. Mullis*, No. 24-2143 (8th Cir.), on the allocation in this action;
- b. Drafted and submitted a mediation statement on behalf of the Buyers-Only Group, arguing that class members whose claims were released in *Burnett* should receive a substantially reduced allocation;

c. Prepared for and attended an in-person mediation in San Francisco on February 9, 2026, before mediator Gregory P. Lindstrom, presenting arguments and negotiating on behalf of the Buyers-Only Group;

d. Secured a favorable outcome: the mediator issued a proposal applying a 75% discount to claims subject to the *Burnett* release, which was accepted by all Allocation Counsel;

e. Assisted Class Counsel following the mediation by communicating the result and helping prepare settlement papers on allocation-related issues.

9. The total time invested in this action by my firm is 92.1 hours. The total loadstar value of these professional services is \$115,130.

10. Attached as **Exhibit B** is a schedule of Burke's expenses reasonably incurred in connection with this litigation for which reimbursement is requested. Expense items are billed separately, and such charges are not duplicated in the firm's current billing rates. Further, expense items do not contain any general overhead costs, and do not contain a surcharge over the amount paid to the corresponding vendor(s).

11. The requested payment for litigation expenses should also be approved because the expenses were reasonably and necessarily incurred in the prosecution of the Action.

12. As detailed and categorized in the schedule attached as **Exhibit B**, Burke incurred a total of \$3,931.14 in expenses from December 28, 2025 through March 31, 2026. The schedule is based upon expense records recorded in Burke's books and records. These books and records are prepared from expense vouchers, check records, receipts, and other source materials.

* * *

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 5th day of June, 2026, in San Diego, California.

/s/ Christopher M. Burke

Christopher M. Burke

EXHIBIT A

Attorneys	Role	Total Hours	Hourly Rate	Total Lodestar
BURKE, CHRISTOPHER	PARTNER	54.1	\$1500	\$81,150
LV, KATE	PARTNER	31.3	\$1000	\$31,300
TOTAL:		85.4		\$112,450

Non-Attorneys	Role	Total Hours	Hourly Rate	Total Lodestar
ZUMWALT, MARLA	PARALEGAL	6.7	\$400	\$2,680
TOTAL:		6.7		\$2,680

EXHIBIT B

Expense Categories	Expenses
Travel - Airfare, Lodging, Meals, Taxi	\$3,728.26
Computer Research, Databases & Docket	\$137.20
Court Transcripts/Court Reporter Fees	\$
Document Production, Review, IT and Maintenance	\$
Professional, Consulting, or Expert Fees	\$
In-House Copying	\$45.28
Postage, Mailing, FedEx, UPS, Fares & Messengers	\$
Service and Filing Fees	\$
Publications, Library, Subscriptions & Promotion	\$
Conferences, Meetings, Telephone & Telecopier	\$20.40
TOTAL	\$ 3,931.14