

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

LORI WAKEFIELD, individually and
on behalf of a class of others similarly
situated,

Plaintiff,

v.

VISALUS, INC.,
a Nevada corporation,

Defendant.

No. 3:15-cv-01857-SI

**Supplemental Declaration of Eve-
Lynn Rapp in Support of Plaintiff's
Amended Motion for Attorneys'
Fees**

1. My name is Eve-Lynn Rapp. I am a Partner at Edelson PC, counsel of record for Plaintiff and Class Counsel in the above-captioned matter. I make the following supplemental declaration in support of Plaintiff's Amended Motion for an Award of Attorney's Fees and an Incentive Award.

2. On September 11, 2020, I filed Plaintiff's initial Motion for an Award of Attorneys' Fees and an Incentive Award. (Dkt. 388.) The Court ordered Plaintiff to provide additional documentation concerning counsel's lodestar. (Dkt. 391.) Plaintiff submitted that additional documentation to the Court on September 26, 2020. (Dkts. 398-402.) At that time, Plaintiff's total lodestar was \$3,801,747.94, with Counsel having fronted an additional \$358,350.19 in costs. (*See* Dkt. 398.)

3. Between September 26, 2020, and May 7, 2024, my firm logged an additional 809.9 hours of attorney and paralegal time, for a total lodestar of \$625,271.67. During that same time frame, my firm logged additional expenses of \$7,189.07. The vast majority of these hours and expenses are attributable to ViSalus's appeal of this Court's judgment to the Ninth Circuit,

and attempted appeal to the Supreme Court, and Class Counsel's successful defense of the judgment. Class Counsel's updated lodestar is therefore \$4,068,669.42, plus an additional \$365,530.26 in unreimbursed costs. Class Counsel anticipates expending additional hours on this case, and incurring additional costs, as the claims process unfolds.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 19, 2024, at Boulder, Colorado.

/s/ Even-Lynn J. Rapp