

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS: COMMERCIAL DIVISION**

_____	)	Master Index No. 711788/2018
IN RE ALTICE USA, INC. SECURITIES	)	
LITIGATION	)	Commercial Division
	)	
_____	)	Hon. Joseph Risi, J.S.C.

**JOINT AFFIRMATION OF JEFFREY D. LEBOWITZ AND SCOTT B. FISHER IN  
SUPPORT OF PLAINTIFFS COUNSEL'S APPLICATION FOR ATTORNEYS' FEES  
AND LITIGATION EXPENSES**

We, Jeffrey D. Lebowitz and Scott B. Fisher, hereby affirm as follows:

1. I, Jeffrey D. Lebowitz, am an attorney duly admitted to practice law in New York, and am a partner in the law firm of Abrams Fensterman LLP ("Abrams Fensterman"). I submit this Joint Affirmation (the "Affirmation") in support of Plaintiffs' Counsel Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses. I have personal knowledge of the facts sets forth herein (except as to ¶¶ 4 and 7), and if called upon, could and would testify thereto.

2. I, Scott B. Fisher, am an attorney duly admitted to practice law in New York, and am a partner in the law firm of Jaspan Schlesinger LLP ("Jaspan Schlesinger"). I submit this Affirmation in support of Plaintiffs' Counsel Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses. I have personal knowledge of the facts sets forth herein (except as to ¶5), and if called upon, could and would testify thereto.

3. Until Mr. Lebowitz moved to Abrams Fensterman in January 2021, as Special Counsel (Mr. Lebowitz) and as Partner (Mr. Fisher) in the Jaspan Schlesinger firm both of us acted as additional plaintiffs' counsel in this matter (the "Action"). In that capacity, we both assisted the Court-appointed Lead Counsel for Plaintiffs in this action (Scott + Scott Attorneys at Law LLP) on various matters relating to the prosecution of this litigation, which included, *inter alia*, reviewing and editing draft motion papers, advising on relevant matters of procedure in this

Court, attending Court conferences, and consulting on matters of litigation strategy. After December 4, 2020, both Mr. Fisher and Mr. Lebowitz continued to provide such services, except that Mr. Lebowitz did so after that date in his capacity as a partner at Abrams Fensterman.

4. Based on accounting records maintained in the ordinary course of business by Jaspan Schlesinger, Mr. Lebowitz and Mr. Fisher billed the following amounts of time to this matter in their capacities as Special Counsel and as Partner, respectively, at Jaspan Schlesinger; in addition, the chart below reflects the regular hourly rates (a) currently charged by Jaspan Schlesinger for Mr. Fisher and (b) charged by that firm for Mr. Lebowitz at the time he left it:

	<u>Hours</u>	<u>Hourly Rate</u>	<u>Lodestar Value</u>
Jeffrey D. Lebowitz	33.95	\$710.00	\$24,104.50
	28.48	\$725.00	\$20,648.00
Scott B. Fisher	44.59	\$650.00	\$28,983.50
	127.98	\$660.00	\$84,466.80

5. Based on accounting records maintained in the ordinary course of business by Abrams Fensterman, Mr. Lebowitz also billed the following additional time to this matter after he moved to that firm in January, 2021 (and the chart below also reflects the regular hourly rates currently charged by Abrams Fensterman for Mr. Lebowitz's time):

	<u>Hours</u>	<u>Hourly Rate</u>	<u>Lodestar Value</u>
Jeffrey D. Lebowitz	14.61	\$700.00	\$10,227.00

6. Based upon the foregoing, the total number amount of time spent by our two past or present firms is 249.61 hours, with a combined total lodestar value of \$168,429.80.

7. In addition, Jaspan Schlesinger incurred Litigation Expenses in connection with its work on this matter totaling \$535.29. These expenses consist of (a) \$200.16 for parking, (b)

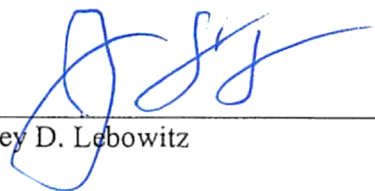

\$317.00 for photocopying, and (c) \$18.13 for conference call charges. The foregoing expenses for which reimbursement is sought are reflected in Jaspan Schlesinger's books and records, which are prepared from receipts, expense vouchers, check records and other documents, which provide an accurate record of the expenses for which reimbursement is sought. It is respectfully submitted that these expenses are of a type that are customarily reimbursed by courts in connection with this type of class action litigation, and were reasonably necessary to the prosecution of this Action.

8. No additional litigation expenses are being sought by the Abrams Fensterman firm.

9. With respect to our respective experience and qualifications (and those of our respective firms), the Court is respectfully referred to our firms' websites at [www.abramslaw.com](http://www.abramslaw.com) and [www.jaspanllp.com](http://www.jaspanllp.com).

We declare, under the penalty of perjury (and subject to the qualifications noted at ¶¶1 and 2 above), that the foregoing facts are true and correct.

Executed on January 14, 2022, in, respectively, Garden City, New York.

  
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Jeffrey D. Lebowitz  
\_\_\_\_\_  
Scott B. Fisher