

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DEKA INVESTMENT GMBH, Individually  
and on Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

SANTANDER CONSUMER USA  
HOLDINGS INC., et al.,

Defendants.

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§ Civil Action No. 3:15-cv-02129-K

§ CLASS ACTION

§ Hon. Ed Kinkeade

**LEAD PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR (1) FINAL APPROVAL OF CLASS ACTION SETTLEMENT, (2) APPROVAL OF PLAN OF ALLOCATION, (3) AWARD OF ATTORNEYS' FEES AND EXPENSES, AND (4) AWARDS TO LEAD PLAINTIFFS PURSUANT TO 15 U.S.C. §78u-4(a)(4)**

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that Lead Plaintiffs Deka Investment GmbH and City of Dearborn Heights Act 345 Police & Fire Retirement System (“Lead Plaintiffs”), on behalf of the Classes, through counsel, will move this Court on January 12, 2021, at 10:00 a.m., before the Honorable Ed Kinkeade, for entry of orders and judgments, pursuant to Rule 23 of the Federal Rules of Civil Procedure: (1) granting final approval of the proposed Settlement; (2) approving the proposed Plan of Allocation; and (3) awarding attorneys’ fees and expenses to Co-Lead Counsel and awards to Lead Plaintiffs. This motion is based on: (i) the Memorandum in Support of Lead Plaintiffs’ Motion for (1) Final Approval of Class Action Settlement; (2) Approval of Plan of Allocation; (3) Award of Attorneys’ Fees and Expenses; and (4) Awards to Lead Plaintiffs Pursuant to 15 U.S.C. §78u-4(a)(4); (ii) the Joint Declaration of Willow E. Radcliffe and Daniel L. Berger in Support of Lead Plaintiffs’ Motion for (1) Final Approval of Class Action Settlement; (2) Approval of Plan of Allocation; (3) Award of Attorneys’ Fees and Expenses; and (4) Awards to Lead Plaintiffs Pursuant to 15 U.S.C. §78u-4(a)(4) (the “Joint Declaration” or “Joint Decl.”); (iii) the Declaration of Ross D. Murray Regarding Notice Dissemination, Publication, and Requests for Exclusion Received to Date (the “Murray Decl.”); (iv) the Declaration of Willow E. Radcliffe Filed on Behalf of Robbins Geller Rudman & Dowd LLP in Support of Application for Award of Attorneys’ Fees and Expenses/Charges; (v) the Declaration of Daniel L. Berger on Behalf of Grant & Eisenhofer P.A. in Support of Application for Award of Attorneys’ Fees; (vi) the Declaration of Balon B. Bradley Filed on Behalf of the Law Firm of Balon B. Bradley in Support of Application for Award of Attorneys’ Fees; (vii) the Declaration of Joe Kendall Filed on Behalf of Kendall Law Group, PLLC in Support of Application for an Award of Attorneys’ Fees and Expenses; (viii) the Declaration of John J. Riley, II on Behalf of Lead Plaintiff City of Dearborn Heights Act 345 Police and Fire Retirement System (the “Riley Decl.”); (ix) the Declaration of Carla Zinkand on Behalf of Lead Plaintiff Deka

Investment GmbH (“Zinkand Decl.”); (x) the Stipulation of Settlement; and (xi) all other proceedings herein.

Proposed orders will be submitted with Lead Plaintiffs’ reply submission on or before January 5, 2021.

DATED: December 8, 2020

Respectfully submitted,

KENDALL LAW GROUP, PLLC  
JOE KENDALL  
Texas Bar No. 11260700  
jkendall@kendalllawgroup.com

/s/ Joe Kendall

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JOE KENDALL

3811 Turtle Creek Blvd., Suite 1450  
Dallas, TX 75219  
Telephone: 214/744-3000  
214/744-3015 (fax)

Local Counsel for the Class

LAW FIRM OF BALON B. BRADLEY  
BALON B. BRADLEY  
Texas Bar No. 02821700  
balon@bbradleylaw.com  
11910 Greenville Avenue, Suite 220  
Dallas, TX 75243  
Telephone: 972/991-1582  
972/755-0424 (fax)

Additional Local Counsel for the Class

ROBBINS GELLER RUDMAN  
& DOWD LLP  
WILLOW E. RADCLIFFE (*pro hac vice*)  
Post Montgomery Center  
One Montgomery Street, Suite 1800  
San Francisco, CA 94104  
Telephone: 415/288-4545  
415/288-4534 (fax)

ROBBINS GELLER RUDMAN  
& DOWD LLP  
ELLEN GUSIKOFF STEWART (*pro hac vice*)  
MATTHEW I. ALPERT (*pro hac vice*)  
655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: 619/231-1058  
619/231-7423 (fax)

GRANT & EISENHOFER P.A.  
JAMES J. SABELLA (*pro hac vice*)  
DANIEL L. BERGER(*pro hac vice*)  
CAITLIN M. MOYNA (*pro hac vice*)  
485 Lexington Avenue, 29th Floor  
New York, NY 10017  
Telephone: 646/722-8500  
646/722-8501 (fax)

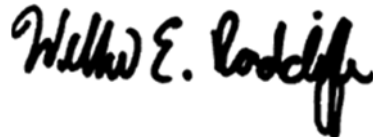
Co-Lead Counsel for the Class

VANOVERBEKE, MICHAUD & TIMMONY, P.C.  
THOMAS C. MICHAUD  
79 Alfred Street  
Detroit, MI 48201  
Telephone: 313/578-1200  
313/578-1201 (fax)  
tmichaud@vmtlaw.com

Additional Counsel for Plaintiff

### **CERTIFICATE OF CONFERENCE**

I hereby certify that on December 7, 2020, I, Willow E. Radcliffe, as counsel for the Classes in the above-captioned matter received confirmation via email from Wallis M. Hampton, counsel for the Underwriter Defendants, and Matthew A. McGee, counsel for the SCUSA Defendants, with respect to the instant motion, that Defendants do not oppose the filing of such motion.



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WILLOW E. RADCLIFFE  
(admitted *pro hac vice*)

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served on all counsel of record on December 8, 2020 via CM/ECF, in accordance with the Federal Rules of Civil Procedure.

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/s/ Joe Kendall  
JOE KENDALL