

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NICHOLAS SKIADAS, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

V.

ACER THERAPEUTICS INC., CHRIS  
SCHELLING, and HARRY PALMIN,

Defendants.

Case No. 1:19-cv-06137-GHW

CLASS ACTION

**ORDER AWARDING ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES, AND  
AWARD TO LEAD PLAINTIFF**

WHEREAS, the Court has granted final approval of the Settlement of the above-referenced class action;

WHEREAS, The Rosen Law Firm, P.A., appointed by the Court as Lead Counsel for purposes of the Settlement, have petitioned the Court for an award of attorneys' fees in compensation for services provided to Lead Plaintiff Nicholas Skiadas ("Lead Plaintiff") and the Settlement Class along with reimbursement of expenses incurred in connection with prosecuting this action, and Award to Lead Plaintiff, to be paid out of the Settlement Fund established pursuant to the Settlement;

WHEREAS, capitalized terms used herein having the meanings defined in the Stipulation and Agreement of Settlement dated July 21, 2021 (the "Stipulation") (Dkt. No. 123) and this Court's Order Granting Motion for Preliminary Approval of Class Action Settlement, dated August 11, 2021 (Dkt. No. 125); and

WHEREAS, the Court has reviewed the fee application and the supporting materials filed therewith and has heard the presentation made by Lead Counsel during the final approval hearing on January 7, 2022, and due consideration having been had thereon.

NOW, THEREFORE, it is hereby ordered:

1. Lead Counsel is awarded one-third of the Settlement Fund or \$2,783,333.33 as attorneys' fees in this action, together with a proportionate share of the interest earned on the fund, at the same rate as earned by the balance of the fund, from the date of the establishment of the fund to the date of payment.

2. Lead Counsel shall be awarded expenses in the amount of \$160,016.52 with interest, as described above.

3. Lead Plaintiff shall be awarded \$10,000 as reimbursement for his lost time and expenses in connection with their prosecution of the Action.

4. Except as otherwise provided herein, the attorneys' fees, reimbursement of expenses, and Award to Lead Plaintiff shall be paid in the manner and procedure provided for in the Stipulation.

**IT IS SO ORDERED.**

Dated: January 7, 2022

  
HON. GREGORY H. WOODS  
UNITED STATES DISTRICT JUDGE