

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 9:20-cv-81063-RS

STEVE HARTEL, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

THE GEO GROUP, INC., *et al.*,

Defendants.

**DECLARATION OF IVY T. NGO ON BEHALF OF FREEDMAN NORMAND
FRIEDLAND LLP IN SUPPORT OF PLAINTIFFS' MOTION FOR AN AWARD OF
ATTORNEYS' FEES, REIMBURSEMENT OF LITIGATION EXPENSES, AND
AWARDS TO PLAINTIFFS**

I, Ivy T. Ngo, declare as follows:

1. I am counsel at the law firm Freedman Normand Friedland, LLP (“FNF”).¹ I submit this declaration in support of Plaintiffs’ application for an award of attorneys’ fees in connection with services rendered in the Action, as well as for reimbursement of litigation expenses incurred in connection with the Action. I have personal knowledge of the facts set forth herein and, if called upon, could and would testify thereto.

2. The schedule attached hereto as Exhibit A is a detailed summary indicating the amount of time spent by attorneys and professional support staff of my firm who, from inception of the Action through and including September 29, 2023, billed ten or more hours to the Action, and the lodestar calculation for those individuals based on my firm’s current billing rates. For personnel who are no longer employed by my firm, the lodestar calculation is based upon the billing rates for such personnel in his or her final year of employment by my firm. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm.

3. I am the counsel who oversaw or conducted the day-to-day activities in the Action and I reviewed these daily time records in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the records as well as the necessity for, and reasonableness of, the time committed to the litigation. Based on this review, I believe that the time of FNF attorneys and staff reflected in Exhibit A was reasonable and necessary for the effective and efficient prosecution and resolution of the Action.

¹ Unless otherwise defined, all capitalized terms herein have the same meanings as set forth in the Stipulation and Agreement of Settlement dated May 1, 2023. ECF No. 86.

4. The hourly rates for the attorneys and professional support staff in my firm included in Exhibit A are consistent with the rates approved by courts in other securities or shareholder litigation when conducting a lodestar cross-check.

5. The total number of hours reflected in Exhibit A is 1038.6 hours. The total lodestar reflected in Exhibit A is \$702,178.00.

6. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expense items. Expense items are billed separately and such charges are not duplicated in my firm's billing rates.

7. As detailed in Exhibit B, my firm is seeking reimbursement of a total of \$20,800.10 in expenses incurred in connection with the prosecution of this Action.

8. The litigation expenses incurred in the Action are reflected on the books and records of my firm. These books and records are prepared from expense vouchers, check records, and other source materials and are an accurate record of the expenses incurred. The expenses reflected in Exhibit B are the expenses actually incurred by my firm.

9. Attached hereto as Exhibit C is a brief biography of FNF, including the attorneys who were involved in the Action.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on October 3, 2023.

Ivy T. Ngo
Ivy T. Ngo (Oct 2, 2023 21:39 PDT)

Ivy T. Ngo

EXHIBIT A

Hartel v. The GEO Group, Inc., et al.,
Case No. 9:20-cv-81063-RS

Freedman Normand Friedland, LLP

**LODESTAR REPORT
FROM INCEPTION THROUGH SEPTEMBER 29, 2023**

TIMEKEEPER/CASE	STATUS	HOURS	RATE	LODESTAR
Devin (Velvel) Freedman	Partner	72.4	980	70,980.00
Constantine Economides	Partner	75.3	880	66,254.00
Colleen Smeryage	Partner	31.7	819	25,968.00
Ivy T. Ngo	Counsel	347.4	927	322,080.00
Thomas Trabue	Associate	34.8	600	20,880.00
Devyn Glass	Associate	309.7	412	127,590.00
Kelvin Goode	Associate	25.4	715	18,161.00
Carly Henek	Associate	18.7	600	11,220.00
Jessica Clark	Associate	16.2	605	9,804.00
Christina Larkin	Paralegal	58.4	232	13,566.00
Marijanne Revilla	Paralegal	33	345	11,385.00
Michelle Lawson	Paralegal	15.6	275	4,290.00
TOTAL LODESTAR		1038.6		702,178.00

EXHIBIT B

Hartel v. The GEO Group, Inc., et al.,
Case No. 9:20-cv-81063-RS

Freedman Normand Friedland, LLP

EXPENSE REPORT

FROM INCEPTION THROUGH SEPTEMBER 29, 2023

ITEM	REFERENCE	AMOUNT
Legal Research	Westlaw	\$3,524.89
Investigation (General)	L.R. Hodges & Associates, Ltd.	\$4,521.76
Consultant (Damages)	Crowninshield Financial Research	\$1,996.00
Factual Research	Prison Legal News	\$19.95
Mediation Fee	JAMS Inc.	\$4,237.50
Litigation Expense	Social Media LLC	\$6,500.00
GRAND TOTAL		\$20,800.10

EXHIBIT C
Freedman Normand Friedland, LLP
FIRM RESUME



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FIRM RESUMÉ

NEW YORK

99 Park Avenue
Suite 1910
New York, NY 10016

T: 646-350-0527
F: 646-392-8842

MIAMI

1 SE 3rd Avenue
Suite 1240
Miami, FL 33131

T: 786-924-2900
F: 646-392-8842

BOSTON

225 Franklin Street
26th Floor
Boston, MA 02210

T: 617-374-3700
F: 646-392-8842

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ABOUT THE FIRM

Founded in 2020, Freedman Normand Friedland LLP is a national law firm comprised of innovative and tech-savvy attorneys with stellar credentials. With experience from some of the most prestigious litigation firms in the country, FNF's legal team has a successful and decades-long track record of consistently achieving outstanding results in high-stakes and notable disputes on behalf of sophisticated clients. FNF's legal team has extensive experience litigating complex commercial, securities, antitrust, class action and derivative matters on behalf of both plaintiffs and defendants in a broad range of industries. FNF couples a unique brand of creative thinking and technical expertise with well-balanced aggressive advocacy to achieve impressive results in complex, high-value, and class action matters. As the firm continues to grow, it has focused on building a diverse attorney pool with cross-functional expertise.

PUBLIC SERVICE

FNF attorneys have served in a range of government roles, including as Assistant U.S. Attorney for the Eastern District of New York, trial attorney in the U.S. Department of Justice's Federal Programs Branch, member of the Southern District of Florida's Local Rules Committee, and member of the Federal Magistrate Judge Merit Selection Panel for the Southern District of Florida. The firm's attorneys have served as judicial clerks for judges on the U.S. Supreme Court; Courts of Appeals for the Second, Fourth, and Ninth Circuits; and District Courts in the Southern District of Florida, Eastern District of Louisiana, Southern District of New York, and Eastern District of Pennsylvania. FNF's attorneys employ the same passion, dedication, and proficiency when litigating on behalf of their clients.

CLASS ACTION EXPERTISE

FNF's legal team has broad experience representing plaintiffs and defendants in complex class actions in federal courts nationwide. The experience spans securities, commodities, antitrust, commodities, fraud-based, and consumer-protection claims across an assortment of industries.

FNF's attorneys have clerked for federal judges nationwide and have represented plaintiffs and defendants in an array of class actions across sectors. Drawing on that experience, FNF's attorneys offer a strategic insight into every procedural and substantive nuance of complex class actions. Whether a plaintiffs' class or a Fortune 500 Company, FNF's clients receive the highest caliber of legal representation in complex litigation.

SECURITIES EXPERTISE

FNF's legal team has the experience and sophistication to navigate securities litigation of any size, scope, or level of complexity. FNF attorneys have represented publicly-traded international corporations defending against securities class actions. FNF attorneys have also prosecuted securities class actions on behalf of sophisticated investors. Through those multifaceted roles, FNF's legal team has amassed the expertise to navigate every challenge posed by complex securities litigation under the Securities Act of 1933 and Securities Exchange Act of 1934. Whether representing plaintiffs or defendants, FNF's legal team appreciates and strategically utilizes the procedural and substantive arguments that will make or break viable causes of actions under the securities laws.

FNF has appointed as lead or co-lead counsel in the following securities fraud class actions, *D'Arcy v. Sequential Brands Grp., Inc.* (C.D. Cal.), *Garcia v. J2 Global, Inc. et. al.*, (C.D. Cal.), *In re Sona Nanotech, Inc. Sec. Litig.* (C.D. Cal.), *In re Renewable Energy Grp. Sec. Litig.* (S.D.N.Y.), *In re Qutoutiao Inc. Sec. Litig.* (S.D.N.Y.), *Carl D. Cachia v. Bellus Health Inc. et. al.*, (S.D.N.Y.), *In re Qiwi Plc Sec. Litig.* (E.D.N.Y.), *Chapman v. Fennec Pharma Inc. et. al.*, (M.D.N.C.), *Lowry v. RTI Surgical Holdings, Inc. et. al.*, (N.D. Ill.), *Hartel v. Geo Grp., Inc. et. al.*, (S.D. Fla.), *Valenti v. Dfinity USA Research LLC, et. al.*, (N.D. Cal.), *In re Cormedix Inc. Sec. Litig.* (D.N.J.), and *Pasquinelli et al. v. HUMBL, LLC et al.*, (S.D. Cal.).

CRYPTOCURRENCY EXPERTISE

Freedman Normand Friedland is a nationally recognized leader in the cryptocurrency arena. Founding Partner Devin “Velvet” Freedman, who has spoken and lectured on the intersection of law and cryptocurrency, is currently representing the estate of Dave Kleiman in a suit against Kleiman’s former business partner Craig Wright, the self-proclaimed inventor of the cryptocurrency Bitcoin. Mr. Freedman and other attorneys at FNF bring to bear a unique level of expertise and experience with cryptocurrency issues, which is especially important given the lack of firm legal precedent in the field.

The firm’s attorneys are currently litigating numerous cryptocurrency cases against multi-national defendants. FNF has been appointed as lead counsel in many of our country’s seminal cryptocurrency class actions.

REPRESENTATIVE ENGAGEMENTS

- ◇ Appointed co-interim class counsel in putative class action seeking over one trillion dollars in damages from foreign and domestic defendants accused of manipulating cryptocurrency markets in violation of federal and state laws.
- ◇ Representing plaintiff in multibillion-dollar complex litigation alleging misappropriation, conversion, and fraud against self-proclaimed inventor of Bitcoin.
- ◇ Representing plaintiff in billion-dollar litigation alleging civil and constitutional rights violations by government officials.
- ◇ Representing plaintiff in multimillion-dollar antitrust litigation accusing national corporations of Sherman Act violations.
- ◇ Defending publicly-traded international corporation accused of securities fraud in multimillion-dollar putative class action under the Securities Exchange Act of 1934.
- ◇ Defending publicly-traded corporation in multimillion-dollar breach of contract litigation arising from complex securities share exchange agreement.
- ◇ Defending corporations in multimillion-dollar fraud and RICO litigation by nationalized bank of Ukraine.



OUR TEAM



DEVIN “VELVEL” FREEDMAN

Founding Partner

Vel is an experienced litigator known for finding creative solutions to complex problems. His practice focuses on high-risk litigation that includes consumer class actions, international disputes, and cryptocurrency/blockchain lawsuits. Vel’s clients value his responsiveness, creative solutions, and ability to achieve successful outcomes while balancing the needs of running a business.

Vel’s practice spans a diverse array of disputes across state, federal, and international trial and appellate courts.

At the trial court level, Vel currently serves as lead counsel in five consumer class actions across the country. He is also currently pursuing an over \$10B cryptocurrency case on behalf of the estate of David Kleiman and represented a consortium of growers, producers, and patients who sued the State of Florida, and its agencies, for medical marijuana related issues. Vel also represents the heirs of a Holocaust survivor seeking to recover a Camille Pissarro masterpiece held by a Spanish-owned museum in one of the only Holocaust era cases to go to trial.

At the appellate level, Vel has successfully pursued numerous appeals in state and federal appellate courts. This includes acting as lead counsel and making oral argument to win a matter of first impression before the Eleventh Circuit U.S. Court of Appeals, along with other wins before the Ninth Circuit, and Florida’s District Courts of Appeal. He recently filed a petition for certiorari to the U.S. Supreme Court.

On the international side, Vel has successfully represented sovereigns and investors in global disputes involving national court litigation, international arbitration, and strategic negotiations, while managing public relations. He recently acted as strategic global counsel to successfully prevent a foreign sovereign from illegally expropriating his client’s assets.

Vel is also active in the local legal community, where he serves on the Southern District of Florida’s Local Rules Committee. Before attending law school, Vel was ordained as a rabbi.

RECENT EXPERIENCE

- Defending a charitable foundation against a campaign of complex probate and civil litigation
- Successfully defended clients against various State Attorney General and CFPB investigations
- Representing Phillip Morris USA in numerous actions around the State of Florida against claims for injuries allegedly caused by smoking cigarettes
- Leading the team that successfully defended a major e-commerce firm from a potentially detrimental government investigation
- Coordinating the protection of sovereign assets from execution efforts in multiple international jurisdictions, including the Netherlands, Germany, Belgium, and Turkey
- Defending sovereign from a \$2B ICSID arbitration claim relating to the alleged expropriation of a telecommunications company
- Representing the Estate of David Kleiman in an over \$10 B cryptocurrency claim

- Successfully representing plaintiffs in a shareholder dispute involving complex claims for breaches of fiduciary duties and related breaches of trust
- Litigating the constitutionality of Florida statutes limiting the amount and type of medical marijuana licenses available
- Litigating the Florida Department of Health's failure to timely issue medical marijuana licenses
- Litigating and negotiating various issues raised among 3rd party e-commerce marketplace sellers, suppliers, and competitors

EDUCATION

- **Columbia Law School**, J.D.; James Kent Scholar; Staff Editor, Columbia Journal of Tax Law
- **Yeshivah Gedolah Rabbinical College**, B.A., Hebrew Letters (Rabbinical); Rabbinical Ordination (Smicha)

AWARDS & ASSOCIATIONS

- Recipient of the Daily Business Review's 2019 Professional Excellence award as an attorney "On the Rise"
- Achieved highest score on Florida Bar examination, 3rd DCA, July 2012
- The Shul of Bal Harbour, Board of Directors
- Southern District of Florida's Local Rules Committee

PUBLICATIONS & PRESENTATIONS

- Speaker, Inside 'The Largest Bubble in Human History': The Alleged \$1.4T Bitfinex/Tether Cryptocurrency Scam, OffshoreAlert Conference Europe (2019)
- Speaker, American Inns of Court (Spellman-Hoeveler Chapter), Bench & Bar Conference, Legal Technology: How Automation is Changing the Practice of Law (smart contracts) (March 2019)
- Speaker, Heightened Enforcement on Cryptocurrencies and Money Laundering: A 2018 Perspective, The Knowledge Group (2018)
- Speaker, French Masterpiece, German Extortion, Spanish Adverse Possession, and the 9th Circuit, Harvard Law School (2017), Touro University (2018)

ADMISSIONS

- State courts: Florida, New York, District of Columbia
- U.S. Supreme Court
- U.S. Courts of Appeals: Ninth Circuit, Eleventh Circuit
- U.S. District Courts: Southern District of Florida, Middle District of Florida, Northern District of Florida, Northern District of Illinois, Southern District of New York

GOVERNMENT SERVICE

- Judicial Intern for the Hon. Nicholas Garaufis, Eastern District of New York

COLLEEN SMERYAGE

Partner

Colleen is an experienced trial and appellate attorney whose practice focuses on complex commercial litigation and arbitration. Colleen regularly obtains favorable outcomes for clients in high stakes litigation involving commercial transactions, securities, international terrorism, trade secrets, and insurance law. Her journalism background and written advocacy skills have enabled her to successfully mount and defend appeals in state and federal courts across the U.S.

Colleen has extensive courtroom experience, having served as trial counsel in several bench and jury trials. Most recently, she served as trial counsel in a high profile four-week trial where she examined numerous fact and expert witnesses and presented extensive oral argument. Prior to this, Colleen served as trial counsel in a two-week federal jury trial that culminated in a complete defense verdict in her client's favor. She has also achieved favorable jury verdicts as plaintiff's counsel, including successful verdicts in a federal court action arising from a coordinated cyberattack and a state court action premised on civil theft.

Prior to attending law school, Colleen worked in the oil and gas industry, spending significant time in Houston, Texas and the Middle East.

RECENT EXPERIENCE

- Represented victims of international terrorism in collection efforts to satisfy \$2.9B judgment obtained for clients, including extensive litigation over funds blocked pursuant to OFAC regulations
- Represented victims of U.S.S. Cole bombing against Republic of Sudan in federal and appellate courts, culminating in historic settlement of claims under the Terrorism Risk Insurance Act
- Represented high-profile client in complex probate and guardianship proceeding, including role as trial counsel in 19-day bench trial
- Represented Florida's largest physician group against numerous insurers in complex dispute regarding reimbursement rates
- Represented credit card processor in cyberattack litigation, culminating in a successful jury verdict in federal court
- Represented bankruptcy trustees in pursuing significant insurance proceeds in action related to collapse of prominent Ponzi scheme
- Represented broker in fraud and unfair trade practices act case, including role as trial counsel in two-week federal jury trial
- Represented security and automation company in defending Lanham Act claims premised on alleged false advertising and unfair competition
- Represented Brendan Dassey, subject of *Making a Murderer* documentary, as member of Northwestern Pritzker School of Law's wrongful convictions clinic

EDUCATION

- **Northwestern University School of Law**, J.D. *cum laude*; Northwestern University Journal of International Law and Business

- **Northwestern University, Medill School of Journalism, B.A. *magna cum laude***; Mortar Board Senior Honor Society; Kappa Tau Alpha Journalism Honor Society

ADMISSIONS

- State courts: Florida, Illinois
- U.S. Court of Appeals: Eleventh Circuit
- U.S. District Court: Southern District of Florida

IVY T. NGO

Counsel

Ivy is an experienced complex civil litigator focusing on securities fraud, privacy, and data breach class actions. She is a creative and collaborative problem-solver with a proven track record of recovering hundreds of millions of dollars on behalf of clients.

At FNF, she served as lead counsel in *Lowry et al. v. RTI Surgical Holdings, Inc. et al.*, a case arising out of manipulative accounting practices, and obtained a \$10.5M recovery. That recovery represents approximately 30% of plaintiffs' estimated damages, which is over 3x the typical amount recovered in securities fraud class actions.

Before joining FNF, Ivy successfully prosecuted numerous securities fraud class actions resulting in hundreds of millions of dollars in recoveries for injured investors at a national complex litigation firm. Those cases include *In re Cardinal Health, Inc. Sec. Litig.* (\$600M recovery); *Jones v. Pfizer Inc.* (\$400M recovery); *Fort Worth Employees' Retirement Fund v. J.P. Morgan Chase & Co., et al.* (\$388M recovery); *In re HealthSouth Corp. Sec. Litig.* (\$209M recovery); *Silverman v. Motorola, Inc.* (\$200M recovery); *In re MGM Mirage Securities Litigation* (\$75M recovery); *Massachusetts Bricklayers and Masons Trust Funds et al. v. Deutsche Alt-A Securities Inc et al.* (\$32.5M recovery); *City of Ann Arbor Employees' Retirement System et al. v. Citigroup Mortgage Loan Trust Inc. et al.* (\$25M recovery); *In re Genworth Financial, Inc. Sec. Litig.* (\$20M recovery); and *Shankar v. Imperva, Inc.* (\$19M recovery). Ms. Ngo was also a member of the team that certified classes in the following cases: *Silverman v. Motorola, Inc.*, No. 07 C 4507, 259 F.R.D. 163 (N.D. Illinois 2009); *Mary K. Jones v. Pfizer Inc., et al.*, Civil Action No. 1:10-cv-03864-AKH, (S.D.N.Y. March 29, 2012); *In re Genworth Financial, Inc. Securities Litigation*, Master File No. 1:14-cv-02392-AKH, Doc. 118 (S.D.N.Y. March 7, 2014); and *Fort Worth Employees' Retirement Fund v. J.P. Morgan Chase & Co.*, No. 1:09-cv-0371-JPO, 301 F.R.D. 116 (S.D.N.Y. September 2014).

In recognition of her work in securities and class action litigation, Ivy was named a Rising Star by *Super Lawyers Magazine* for 2015-2018 and a Super Lawyer for 2019.

RECENT EXPERIENCE

- Counsel for plaintiff in ongoing privacy class action, *Lundy et al. v. Facebook, Inc. et al.* (N.D. Cal.)
- Lead counsel in the following ongoing securities fraud class actions: *In re Qutoutiao Inc. Sec. Litig.* (S.D.N.Y.), *In re Qiwi plc Securities Litig.* (E.D.N.Y.), *D'Arcy v. Schmidman et al.* (S.D.N.Y.), *Chapman v. Fennec Pharma Inc. et al.* (M.D.N.C.), and *Garcia v. J2 Global, Inc. et al.* (C.D. Cal.).
- Co-Lead Counsel the following ongoing securities fraud class actions: *Pasquinelli et al. v. HUMBL, LLC et al.* (S.D. Cal.), *In re CorMedix Inc. Sec. Litig.* (D. N.J.), and *Hartel v. Geo Group, Inc. et al.* (D. FL).

EDUCATION

- Rutgers University School of Law - Camden, J.D. (2006)
- University of California, Los Angeles, B.A. (2003)

ADMISSIONS

- State courts: California, District of Columbia
- U.S. Courts of Appeals: Second Circuit, Ninth Circuit
- U.S. District Courts: Northern District of California, Central District of California, Eastern District of California, Southern District of California, District of Colorado, District of Maryland, Northern District of Illinois
- U.S. Patent and Trademark Office

JESSICA CLARK

Associate

Jessica is a litigator whose practice focuses on complex commercial litigation, where she represents both plaintiffs and defendants.

RECENT EXPERIENCE

- Representing site operator in an attorney general investigation.
- Defending management company against a federal class action alleging violations of, inter alia, Florida's unfair and deceptive trade practices act.

EDUCATION

- **Cornell Law School**, J.D.; Cornell International Law Journal
- **Florida International University**, B.B.A., International Business and Business Management, magna cum laude; B.A., Political Science, magna cum laude; Phi Beta Kappa; Pi Sigma Alpha

ADMISSIONS

- State courts: Florida
- U.S. District Court: Southern District of Florida



www.fnf.law

NEW YORK

99 Park Avenue
Suite 1910
New York, NY 10016

T: 646-350-0527
F: 646-392-8842

MIAMI

1 SE 3rd Avenue
Suite 1240
Miami, FL 33131

T: 786-924-2900
F: 646-392-8842

BOSTON

470 Atlantic Avenue
Boston, MA 02210

T: 617-374-3700
F: 646-392-8842



2023.10.03 Fee and Expense Declaration- Ivy Ngo - FNF

Final Audit Report

2023-10-03

Created:	2023-10-03
By:	Marijanne Revilla (mrevilla@rochefreedman.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAJGYivnYw27kzQIX9DPn4XVTrrdNle7ki


"2023.10.03 Fee and Expense Declaration- Ivy Ngo - FNF" History

 Document created by Marijanne Revilla (mrevilla@rochefreedman.com)

2023-10-03 - 4:35:36 AM GMT

 Document emailed to ingo@fnf.law for signature

2023-10-03 - 4:36:39 AM GMT

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2023-10-03 - 4:37:36 AM GMT

 Signer ingo@fnf.law entered name at signing as Ivy T. Ngo

2023-10-03 - 4:39:32 AM GMT

 Document e-signed by Ivy T. Ngo (ingo@fnf.law)

Signature Date: 2023-10-03 - 4:39:34 AM GMT - Time Source: server

 Agreement completed.

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