

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

TIM P. BRUNDLE, on behalf of the)
Constellis Employee Stock Ownership Plan and a)
class of other individuals similarly situated,)
)
Plaintiff,)
)
v.)
)
WILMINGTON TRUST N.A., as successor to)
Wilmington Trust Retirement and Institutional)
Services Company)
)
Defendant.)
)

1:15-cv-1494 (LMB/IDD)

ORDER

For the reasons stated in the accompanying Memorandum Opinion, defendant’s Motion to Amend the Judgment Pursuant to Rule 59(e), or, in the Alternative, For a New Trial Pursuant to Rule 59(a) [Dkt. 309] is DENIED; plaintiff’s Motion for Attorneys’ Fees and Costs, and Plaintiff’s Counsel’s Motion for Attorney’s Fees and Reimbursement of Expenses [Dkt. 312] is GRANTED IN PART and DENIED IN PART as to the request for fees under ERISA, and HELD IN ABEYANCE as to the amount of the contingent fee; and it is hereby


ORDERED that plaintiff Tim P. Brundle be and is awarded attorneys’ fees in the amount of \$1,819,631.11 to be paid by defendant Wilmington Trust, N.A.; and it is further

ORDERED that within 14 days plaintiff submit to the Court a plan for notifying the Constellis ESOP participants about the proposed contingent fee and providing them an opportunity to object to that fee.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this rd 23 day of June, 2017.

Alexandria, Virginia



Leonie M. Brinkema
United States District Judge