

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, S.S.

SUPERIOR COURT

Civil No. 24-1734-BLS1

JOHN DWYER, & another¹
Plaintiffs

vs.

ALAN TREFLER, & others²
Defendants

—————
CONSOLIDATED WITH
Civil No. 24-3076-BLS1

JAYNE BIRCH, & another³
Plaintiffs

vs.

ALAN TREFLER, & others⁴
Defendants

**PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, EXPENSES,
AND SERVICE AWARDS**

¹ Ray Gerber.

² Peter Gyenes ("Gyenes"), Richard Jones ("Jones"), Christopher Lafond ("Lafond"), Dianne Ledingham ("Ledingham"), Sharon Rowlands ("Rowlands"), Larry Weber ("Weber"), Leon Trefler ("L. Trefler"), Don Schuerman ("Schuerman"), Kerim Akgonul ("Akgonul"), and Benjamin Baril ("Baril"). Pegasystems Inc. ("Pegasystems") is named as a nominal defendant.

³ Robert Garfield.

⁴ Gyenes, Jones, Lafond, Ledingham, Rowlands, Weber, L. Trefler, Schuerman, Akgonul, Baril, and Stillwell. Pegasystems is named as a nominal defendant.

Plaintiffs John Dwyer, Ray Gerber, Jayne Birch, and Robert Garfield⁵ hereby move for: (i) approval of the negotiated fee and expense award for all Plaintiffs' Counsel⁶ in the amount of \$2,750,000 to be paid by the Company; and (ii) approval of nominal service awards in the amount of \$2,500 to be paid to each of the Plaintiffs out of Plaintiffs' Counsel's award of attorneys' fees and expenses (the "Motion"). Plaintiffs ask that the Court grant the Motion substantially in the form of the Proposed Order filed herewith. The reasons for the Motion are set forth in the accompanying Memorandum of Law.

Dated: May 21, 2026

Respectfully submitted,

OF COUNSEL:

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⁵ "Plaintiffs" collectively refers to (i) Plaintiffs in above-captioned consolidated derivative action (the "State Derivative Action"): John Dwyer, Ray Gerber, Jayne Birch, and Robert Garfield (the "State Plaintiffs"); (ii) Plaintiffs in the related consolidated stockholder derivative action entitled *Larkin et al. v. Trefler et al.*, No. 1:25-cv-10303-WGY (the "Federal Derivative Action") pending the U.S. District Court for the District of Massachusetts (the "Federal Court"): Mary Larkin and Dag Sagfors (the "Federal Plaintiffs"); and (iii) Pegasystems Inc. ("Pegasystems" or the "Company") stockholder George Fielding Brenner ("Demanding Stockholder"), who made a related litigation demand upon the Company (together with the State Derivative Action and Federal Derivative Action, the "Actions").

⁶ "Plaintiffs' Counsel" includes (i) counsel for the State Plaintiffs: Bernstein Litowitz Berger & Grossmann LLP, Cohen Milstein Sellers & Toll PLLC, Equity Litigation Group LLP, Shuman, Glenn & Stecker, Bronstein, Gewirtz & Grossman LLC, Greenwich Legal Associates, LLC, and Bottini & Bottini Inc.; and (ii) counsel for Federal Plaintiffs: Bragar Eigel & Squire, P.C., Griffin Humphries LLC, Andrews Devalerio LLP, Matorin Law Office LLC, and Rigrodsky Law, P.A.; and (iii) counsel for Demanding Stockholder: Levi & Korsinsky, LLP.

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CERTIFICATE OF SERVICE

I hereby certify that on May 21, 2026, I caused a true copy of the foregoing to be served by email to counsel of record as follows:

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