

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

EMPLOYEES RETIREMENT SYSTEM FOR THE
CITY OF PROVIDENCE, derivatively as a
shareholder of CREDIT SUISSE GROUP AG on
behalf of CREDIT SUISSE GROUP AG,

Plaintiff,

v.

URS ROHNER, *et al.*,

Defendants,

and

CREDIT SUISSE GROUP AG,

Nominal Defendant.

Index No. 651657/2022

Hon. Andrea Masley

**AFFIRMATION OF JEFF DANA, ESQ., CITY SOLICITOR FOR THE CITY OF
PROVIDENCE, ON BEHALF OF EMPLOYEE RETIREMENT SYSTEM FOR THE
CITY OF PROVIDENCE, IN SUPPORT OF (I) PLAINTIFF'S MOTION FOR
FINAL APPROVAL OF SETTLEMENT AND (II) PLAINTIFF'S COUNSEL'S
MOTION FOR ATTORNEYS' FEES AND LITIGATION EXPENSES**

I, JEFF DANA, ESQ., affirm as follows:

1. I am the City Solicitor for the City of Providence and, as such, am counsel for the Employee Retirement System for the City of Providence (the “City of Providence”), the Plaintiff in this stockholder derivative action (the “Action”).¹ I authorized the filing of the Verified Shareholder Derivative Complaint in 2022 and I am authorized to submit this Affirmation on behalf of the City of Providence.

2. I respectfully submit this Affirmation in support of (i) Plaintiffs’ motion for final approval of the proposed Settlement; and (ii) Plaintiff’s Counsel’s motion for attorneys’ fees and Litigation Expenses, including the City of Providence’s application for a service award for its work performed in this Action. I have personal knowledge of the matters set forth in this Affirmation, as I, or others working under my direction, have been directly involved in monitoring and overseeing the prosecution of this Action, and, if called as a witness, could competently testify thereto.

3. The City of Providence is a pension fund that provides retirement benefits to active and retired employees of the city of Providence, Rhode Island. As of July 1, 2023, the actuarial value of assets for the City of Providence was approximately \$470.1 million.

4. From the start of this involvement in the Action, the City of Providence devoted time and effort to supervising, monitoring, and participating in the prosecution of this litigation. The City of Providence received periodic status reports from its counsel, Bernstein Litowitz Berger & Grossmann LLP (“BLB&G” or “Plaintiff’s Counsel”), on case developments and participated

¹ Unless otherwise stated or defined in this Affirmation, all capitalized terms used herein shall have the meanings provided in the Stipulation and Agreement of Settlement, Compromise, and Release dated August 21, 2025 (NYSCEF # 952).

in regular discussions with BLB&G attorneys concerning the prosecution of the Action, the strengths of and risks to the claims, and potential settlement. In particular, throughout the course of this Action, I, and other employees of the City of Providence, (i) communicated with BLB&G by email and telephone calls regarding the posture and progress of the case; (ii) reviewed all significant pleadings, motions, orders to show cause, and briefs filed in the Action; (iii) assisted in the City of Providence's responses to Defendants' discovery requests, including the production of documents; (iv) was advised of and participated in the mediation process, including by attending in person the mediation sessions on May 31, 2023 and July 14, 2025, attending the May 3, 2024 mediation session by Zoom, and by consulting with BLB&G concerning the settlement negotiations as they progressed; and (v) evaluated and approved the proposed Settlement. In addition, I prepared for and was deposed on November 30, 2023 as a representative of the City of Providence by attorneys from Cahill, Gordon & Reindel LLP (then-counsel for all Defendants) at their offices in New York.

5. Based on its involvement throughout the prosecution and resolution of the Action, and when considering the merits of the Action and the risks and benefits of continued litigation as opposed to settling the Action, the City of Providence believes that the proposed Settlement represents an excellent result achieved in this litigation. Thus, the City of Providence believes that the Settlement is fair, reasonable, and adequate to the Company, and that its approval is in the best interests of the Company. Accordingly, the City of Providence strongly endorses approval of the Settlement by the Court.

6. The City of Providence has also approved and supports BLB&G's motion for an award of attorneys' fees in the amount of 29% of the Settlement Fund and payment of Plaintiffs' Counsel's Litigation Expenses incurred in connection with the Action. While it is understood that

the ultimate determination of Plaintiff's Counsel's request for attorneys' fees and expenses rests with the Court, the City of Providence believes that BLB&G's request for an award of attorneys' fees in the amount of 29% of the Settlement Fund is reasonable in light of the result achieved in the Action, the risks undertaken, and the high quality and enormous amount of work performed by BLB&G in the Action. The City of Providence further believes that BLB&G's Litigation Expenses are reasonable and represent costs and expenses necessary for the prosecution and resolution of the claims in the Action. Based on the foregoing, and consistent with its commitment to obtain the best result in this litigation at the most efficient cost, the City of Providence fully supports Plaintiff's Counsel's motion for attorneys' fees and Litigation Expenses.

7. The City of Providence has not received, nor has it been promised or offered, any financial incentive or compensation for serving as the Plaintiff in this Action. The City of Providence understands, however, that courts may authorize a service award to a plaintiff based on its contributions of time, work, and resources to the prosecution and resolution of a derivative action lawsuit. The City of Providence knows that the grant of such an award is entirely within the discretion of the Court and evaluated on a case-by-case basis. The City of Providence's employees dedicated a substantial number of hours to participating in and overseeing the litigation. The City of Providence respectfully requests an award of \$10,000 for its time and effort expended in this Action.

8. In conclusion, and by way of brief summary, the City of Providence, the Plaintiff in this Action, which was closely involved throughout the prosecution and settlement of the Action, strongly endorses the Settlement as fair, reasonable, and adequate, and believes it represents a favorable recovery for the Company in light of the risks of continued litigation. The City of Providence further supports BLB&G's motion for attorneys' fees and payment of

Litigation Expenses and believes that it represents fair and reasonable compensation for counsel in light of the recovery obtained for the Company, the substantial and excellent work conducted, and the litigation risks. And finally, the City of Providence requests a service award of \$10,000 for its time and effort expended in this Action. Accordingly, the City of Providence respectfully requests approval of (i) Plaintiffs' motion for final approval of the proposed Settlement; and (ii) Plaintiff's Counsel's motion for attorneys' fees and Litigation Expenses.

I affirm this ____ day of September, 2025, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or a proceeding in a court of law.



JEFF DANA, ESQ.

City Solicitor for the City of Providence and
authorized representative for the Employee
Retirement System for the City of Providence