

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

IN RE NQ MOBILE, INC.
SECURITIES LITIGATION

This Document Relates to: All Actions

No. 1:13-cv-07608-WHP

**PLAINTIFFS' COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES,
REIMBURSEMENT OF EXPENSES, AND APPROVAL OF AN AWARD
TO LEAD PLAINTIFF VOLIN UNDER 15 U.S.C §78u-4(a)(4)**

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that on March 11, 2016, at 2:00 p.m., before the Honorable William H. Pauley, III, United States District Judge, at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, or as soon thereafter as counsel may be heard, Plaintiffs' Counsel will and hereby do move for an order, substantially in the form attached hereto as Exhibit A: (1) awarding Plaintiffs' Counsel attorneys' fees in the amount of 30% of the Settlement Fund; (2) awarding Plaintiffs' Counsel reimbursement of their litigation costs and expenses in the amount of \$60,425.96; and (2) awarding Lead Plaintiff Herbert R. Volin reasonable costs and expenses in the amount of \$3000 under 15 U.S.C §78u-4(a)(4) (the "Motion"). Plaintiffs' Counsel's motion is based upon Lead Plaintiffs' accompanying Memorandum of Law in Support of the Motion, the declarations submitted in support thereof, all other pleadings and matters of record, and such additional evidence or argument as may be presented at or in connection with the hearing on the Motion.

Dated: January 27, 2016

SCOTT+SCOTT, ATTORNEYS AT LAW, LLP

/s/ William C. Fredericks
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Counsel for Lead Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2016, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 27th day of January, 2016, at New York, New York.

/s/ William C. Fredericks

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EXHIBIT A

[EXHIBIT A]

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

IN RE NQ MOBILE, INC.
SECURITIES LITIGATION

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No. 1:13-cv-07608-WHP

**[PROPOSED] ORDER APPROVING AWARD OF ATTORNEYS' FEES AND
REIMBURSEMENT OF EXPENSES AND AWARDED LEAD PLAINTIFF VOLIN
REASONABLE COSTS AND EXPENSES UNDER 15 U.S.C. §78u-4(a)(4)**

This matter came before the Court on the motion of Lead Counsel for: (1) an award of attorneys' fees; (2) reimbursement of Counsel's litigation expenses; and (2) an award of reasonable costs and expenses to Lead Plaintiff Herbert R. Volin (one of the members of the Lead Plaintiff "Volin Group") under 15 U.S.C. §78u-4(a)(4) in connection with his representation of the Class in this Action (the "Motion"). Having held a Settlement Fairness Hearing on March 11, 2016, and having considered all papers and arguments submitted in support of and in opposition to the Motion and all proceedings in the Action,

THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:

1. The provisions of the Stipulation, including definitions of the terms used therein, are hereby incorporated by reference as though fully set forth herein.

2. This Court has jurisdiction over the subject matter of the Action and over all Parties to the Action, including all members of the Class.

3. Plaintiffs' Counsel are hereby awarded _____% of the Settlement Fund in fees, which sum the Court finds to be fair and reasonable, and \$ _____ in reimbursement of expenses, which fees and expenses shall be paid immediately upon entry of this Order to Lead Counsel from the Settlement Fund. Lead Counsel may determine and distribute the attorneys'

fees among other Plaintiffs' Counsel in a manner which, in Lead Counsel's sole discretion, it believes reflects the contributions of such counsel to the prosecution and settlement of the Action with Settling Defendants and the benefits conferred on the Class.

4. The Court finds that an award of attorneys' fees under the percentage-of-recovery method is proper in this case, and further finds that the requested fee is fair, reasonable, and consistent with awards made in similar cases. Furthermore, the Court has reviewed the factors set forth in *Goldberger v. Integrated Res., Inc.*, 209 F.3d 43 (2d Cir. 2000), and finds that they support the award. The Court has also performed a rough lodestar cross-check and finds that the hours and rates are reasonable for the amount and specialized type of work performed. Moreover, the effective lodestar multiplier is well within the range of reasonableness.

5. The Court further awards \$3000 from the Settlement Fund to Lead Plaintiff Herbert R. Volin pursuant to 15 U.S.C. §78u-4(a)(4) for reimbursement of reasonable costs and expenses (including lost wages) directly relating to his representation of the Class in this Action. as set forth in the declaration that Mr. Volin submitted to the Court in support of his request.

IT IS SO ORDERED.

Dated: _____, 2016

HON. WILLIAM H. PAULEY, III
UNITED STATES DISTRICT JUDGE