

# **EXHIBIT 2**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS

In re UNITI GROUP INC. SECURITIES	)	Master File No. 4:19-cv-00756-BSM
LITIGATION	)	
_____	)	<u>CLASS ACTION</u>
	)	
This Document Relates To:	)	
	)	
ALL ACTIONS.	)	
_____	)	

**DECLARATION OF GERARD GRYSKO ON BEHALF OF WAYNE COUNTY  
EMPLOYEES’ RETIREMENT SYSTEM IN SUPPORT OF MOTIONS FOR  
(I) FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND PLAN OF  
ALLOCATION AND (II) AWARD OF ATTORNEYS’ FEES  
AND PAYMENT OF EXPENSES**

I, Gerard Grysko, declare as follows:

1. I am the Deputy Director of Wayne County Employees’ Retirement System (“Wayne County ERS”), which serves as one of the Court-appointed Lead Plaintiffs in this securities class action (the “Action”). I submit this declaration in support of the Motions for: (i) Final Approval of Class Action Settlement and Plan of Allocation; and (ii) Award of Attorneys’ Fees and Payment of Expenses.<sup>1</sup> I have personal knowledge of the matters

\_\_\_\_\_ <sup>1</sup> Unless otherwise defined, all capitalized terms herein have the same meanings set forth

set forth in this Declaration and, if called upon, I could and would testify competently thereto.

2. Wayne County ERS, established in 1944, is a Detroit, Michigan based pension fund with approximately \$920 million in assets under management, representing nearly 10,000 active and retired public employees.

**I. Wayne County ERS's Oversight of this Action**

3. I, on behalf of Wayne County ERS, am aware of and understand the requirements and responsibilities of a lead plaintiff in a securities class action, including those set forth in the Private Securities Litigation Reform Act of 1995. On April 14, 2020, the Court appointed Wayne County ERS—together with Steamfitters Local 449 Pension Plan, David McMurray, on behalf of himself and as sole beneficiary of the David McMurray R/O IRA, and Zhengxu He, Trustee for the He & Fang 2005 Revocable Living Trust—as Lead Plaintiffs in this Action.

4. On behalf of Wayne County ERS, during the course of the Action, I have had regular communications with attorneys at Labaton Sucharow LLP (“Labaton Sucharow”), Court-appointed Co-Lead Counsel for the proposed class. Wayne County ERS, through my active and continuous involvement, closely supervised, carefully monitored, and was actively involved in all material aspects of the prosecution and settlement of the Action.

---

in the Stipulation and Agreement of Settlement, dated June 17, 2022 (ECF No. 124) (the “Stipulation”).

5. Throughout the litigation, Wayne County ERS received periodic status reports from Labaton Sucharow on case developments, participated in discovery, and participated in frequent discussions with Labaton Sucharow concerning the prosecution of the Action, the strengths and weaknesses of the claims and Defendants' defenses, and the negotiations leading to the Settlement.

6. In particular, throughout the course of the Action, I and other professionals at Wayne County ERS, on behalf of Wayne County: (a) regularly communicated with Labaton Sucharow by email and telephone regarding the posture and progress of the Action, including the progress of discovery; (b) reviewed pleadings, motions, and briefs filed in the Action; (c) reviewed and/or discussed significant decisions in the Action; (d) coordinated and reviewed Wayne County ERS's production of documents and written discovery responses to Defendants; (e) contacted Wayne County ERS's investment managers and others responsible for Wayne County ERS's investments in Uniti's securities; (f) virtually participated in a full day deposition on behalf Wayne County ERS, which I prepared for in advance as well; and (g) provided documents and information to our counsel as requested throughout the course of the litigation. In addition, Robert Grden, Executive Director of Wayne County ERS, and Henry Wilson, Chairman of the Board of Wayne County ERS, attended the in-person mediation on March 24, 2022. Wayne County ERS also consulted with counsel concerning the strategy for and the status of the settlement negotiations, in connection with the formal mediation and thereafter. Wayne County ERS evaluated and ultimately approved the proposed Settlement.

7. I understand the Court may make an award of reasonable expenses, including lost wages, directly relating to representation of a class, pursuant to the Private Securities Litigation Reform Act of 1995. The following employees of Wayne County ERS devoted 79.3 hours to the prosecution of this Action, time that would otherwise have been spent on other daily activities of the system:

- Gerard Grysko: 40.8 hours at \$67.53/hour = \$2,755.22
- Robert Grden: 21.5 hours at \$93.73/hour = \$2015.20
- Hector Roman: 4 hours at \$117.07/hour = \$468.28
- Mariana Caraba: 2 hours at \$41.22/hour = \$82.44
- Henry Wilson: 8 hours at \$60.47/hour = \$483.76
- Annie Hussein: 3 hours at \$73.18/hour = \$219.54

8. The hourly rates are based on the annual wages and medical benefits for these staff members of Wayne County ERS divided by a normal work year. As set forth above, the time spent was directly related to Wayne County ERS's involvement in the Action, including time spent on: (a) consulting with counsel regarding the Action, (b) reviewing reports, pleadings, briefs, or orders, (c) responding to written discovery and collecting documents, (d) preparing for and attending a deposition; and (e) preparing for and attending the settlement mediation.

9. In total, therefore, Wayne County ERS respectfully requests a \$6024.44 award.

## **II. Wayne County ERS Strongly Endorses the Settlement**

10. Based on its involvement throughout the prosecution and resolution of the claims, Wayne County ERS strongly endorses the proposed Settlement. Wayne County ERS believes the proposed Settlement provides a very favorable recovery for the

Settlement Class, particularly in light of the substantial risks of continuing to prosecute the claims in the Action and the guaranteed benefit of the proposed cash recovery.

**III. Wayne County ERS Supports Co-Lead Counsel's Motion for an Award of Attorneys' Fees and Payment of Expenses**

11. Wayne County ERS believes that Co-Lead Counsel's request for an award of attorneys' fees in the amount of 30% of the Settlement Fund is fair and reasonable given the work counsel performed on behalf of Lead Plaintiffs and the Settlement Class. Wayne County ERS takes seriously its duty, as Court-appointed lead plaintiff, to ensure that attorneys' fees are fair under the circumstances of the case, and to reasonably compensate counsel for the work involved and risks undertaken in litigating the Action. Wayne County ERS has evaluated Co-Lead Counsel's fee request by considering: (a) the work performed, (b) the recovery obtained for the Settlement Class, (c) and the risks of the Action.

12. Wayne County ERS further believes that the litigation expenses being requested, of no more than \$1.6 million, are reasonable under the circumstances of this case.

13. Based on the foregoing, and consistent with its obligation to the Settlement Class to obtain the best result at an efficient cost, Wayne County ERS fully approves and supports an award of attorneys' fees to Co-Lead Counsel in the amount of 30% of the Settlement Amount, as well as payment of expenses, plus interest accrued on both amounts at the same rate as earned by the Settlement Fund.

**IV. Conclusion**

14. In conclusion, Wayne County ERS was closely involved throughout the prosecution and settlement of the claims in this Action, strongly endorses the Settlement as fair, reasonable and adequate and believes that it represents a significant recovery for the Settlement Class. Wayne County ERS respectfully requests that the Court approve Lead Plaintiffs' motion for final approval of class action settlement and plan of allocation, and Co-Lead Counsel's motion for an award of attorneys' fees and payment of expenses.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct, and that I have authority to execute this Declaration on behalf of Lead Plaintiff Wayne County ERS.

Executed this 29<sup>th</sup> day of September 2022.

By:   
Gerard Grysko