

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

SHAUNA WINKELMAN, MICHAEL)	
LENON, SCOTT CENNA, KALEA)	
NIXON, ROBERT GOLDORAZENA,)	CIVIL ACTION NO.: 1:23-cv-1352-RP
CHAD DIEHL and ROSS NANFELDT,)	
individually and on behalf of all others)	
similarly situated,)	
)	
Plaintiffs,)	
v.)	
)	
WHOLE FOODS MARKET, INC., THE)	
BOARD OF DIRECTORS OF WHOLE)	
FOODS MARKET, INC., THE WHOLE)	
FOODS MARKET, INC. EMPLOYER)	
COMMITTEE, THE WHOLE FOODS)	
MARKET, INC. 401(K) COMMITTEE,)	
THE WHOLE FOODS MARKET, INC.)	
BENEFITS ADMINISTRATIVE)	
COMMITTEE and JOHN DOES 1-50.)	
)	
Defendants.)	

**PLAINTIFFS’ MOTION FOR AWARD OF ATTORNEYS’ FEES
AND REIMBURSEMENT OF EXPENSES AND
CASE CONTRIBUTION AWARDS TO THE PLAINTIFFS**

Plaintiffs, Shauna Winkelman, Michael Lenon, Scott Cenna, Kalea Nixon, Robert Goldorazena, Chad Diehl, and Ross Nanfeldt, (together, “Plaintiffs”), by and through their attorneys, hereby respectfully move this Court for an Order:

1. Awarding Class Counsel \$666,666.67 in attorneys’ fees, an amount equal to 33 1/3% of the Settlement Fund of \$2,000,000.00;
2. Reimbursing Class Counsel \$27,041.59 for reasonable litigation expenses incurred while litigating this matter;

3. Awarding \$5,000.00 to each Class Representative (Shauna Winkelman, Michael Lenon, Scott Cenna, Kalea Nixon, Robert Goldorazena, Chad Diehl, and Ross Nanfeldt) in recognition of the Class Representatives' assistance in the prosecution of the litigation; and

4. For such other relief as the Court may deem just and proper.

The grounds for this Motion are set forth in the following papers filed contemporaneously herewith:

- (a) Memorandum of Law in support of Plaintiffs' Motion for Award of Attorneys' Fees and Reimbursement of Expenses and Case Contribution Awards to the Plaintiffs; and
- (b) Declaration of Plaintiffs' Counsel and Plaintiffs.

Attached hereto is the proposed Order Awarding Plaintiffs' Counsel Attorneys' Fees and Reimbursement of Expenses and Plaintiffs' Case Contribution Awards.

Dated: November 14, 2025

Respectfully submitted,

CAPOZZI ADLER, P.C.

/s/ Mark K. Gyandoh
Mark K. Gyandoh, Esquire
(admitted *pro hac vice*)
James A. Wells, Esquire
(admitted *pro hac vice*)
312 Old Lancaster Road
Merion Station, PA 19066
Phone: (610) 890-0200
Email: markg@capozziadler.com
jayw@capozziadler.com

MUHIC LAW LLC
Peter A. Muhic
(admitted *pro hac vice*)
923 Haddonfield Road,
Suite 300 Cherry Hill, NJ 08002
Phone: (856) 242-1802
Email: peter@muhiclaw.com

THE LAW OFFICE OF KELL A. SIMON

Kell A. Simon

Texas Attorney ID # 24060888

501 N. Interstate Highway 35, Suite 11

Austin, Texas 78702

Phone: (512) 898-9019

Email: kell@kellsimonlaw.com

*Attorneys for Plaintiffs, the Plan
and the Proposed Class*

CERTIFICATE OF SERVICE

I hereby certify that on November 14, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of the filing to all attorneys of record.

/s/Mark K. Gyandoh
Mark K. Gyandoh