

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA**

IN RE:

**LOUISIANA SAFETY ASSOCIATION OF
TIMBERMEN—SELF INSURED FUND**

CASE NO. 15-81004

DEBTOR

CHAPTER 7

**T. BRETT BRUNSON AS TRUSTEE FOR
LOUISIANA SAFETY ASSOCIATION OF
TIMBERMEN—SELF INSURED FUND**

ADV. PROC. NO. 17-08003

vs.

**ASCENSION READY MIX, INC., O’NEALGAS, INC.,
E.A. HINTON WELL SERVICING INC., and
ALFORD MOTORS, INC.
(On behalf of themselves
and others similarly situated)**

**DECLARATION OF WILLIAM E. STEFFES IN SUPPORT OF
JOINT MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

I, William E. Steffes, hereby declare under penalty of perjury as follows:

1. I am a principal in The Steffes Firm, LLC (“Steffes”). Steffes serves as co-Class Counsel for the Class certified in the above-captioned adversary proceeding (the “Class Action”). I submit this affidavit in support of the Joint Motion for Final Approval of Class Action Settlement (“Motion for Final Approval”). I have personal knowledge of the matters set forth herein.
2. The Steffes attorneys are well-recognized for their vast experience in bankruptcy matters, having handled numerous bankruptcy cases over the past 44 years. The firm has over 200 years of combined legal experience, primarily in complex bankruptcies, conducting a statewide and regional practice.

3. The Steffes attorneys have extensive experience in complex litigation in general and in the following class actions:

- *In re Entergy New Orleans, Inc. (Gordon v. Entergy New Orleans)*; U.S. Bankruptcy Court, Eastern District of Louisiana
- *In re Entergy of New Orleans, Inc. (Lowenburg v. Entergy New Orleans)*; U.S. Bankruptcy Court, Eastern District of Louisiana
- *In re Worldcom, Inc., et al.*; U.S. Bankruptcy Court, Southern District of NY
- *In re Bestcomp, Inc.*; U.S. Bankruptcy Court, Eastern District of Louisiana
- *In re Peter Raymond LaFuria, M.D.*; U.S. Bankruptcy Court, Western District of Louisiana
- *In re Clean Harbors Plaquemine, LLC*; U.S. Bankruptcy Court, Middle District of Louisiana
- *Roadrunner, et al., vs. Lucien Burkett, et al.*; 19th Judicial District Court, East Baton Rouge Parish, State of Louisiana

4. As the senior member of Steffes, I have been practicing complex bankruptcy law since 1978. I received both a B.A. and a J.D. from Louisiana State University and graduated Order of the Coif. In addition, I was a member of the Louisiana State University Law Review and Phi Kappa Phi Honor fraternity.

5. I am licensed to practice in the United States Supreme Court, all Louisiana and Texas state and federal courts, and the United States Court of Appeals for the Fifth Circuit; and, have appeared *pro hac vice* in many bankruptcy courts, including: Mississippi, California, Oklahoma, Kentucky, Minnesota, Florida, Georgia, Massachusetts, Puerto Rico, Hawaii and New York in connection with various reorganization proceedings.

6. In 2005, I was inducted to the American College of Bankruptcy. In addition, I am a member of the Louisiana State Bar Association (LSBA) and the past chairman of the bankruptcy section of the LSBA, Baton Rouge Bar Association, and American Bankruptcy Institute.

7. I have held the highest attorney rating by Martindale-Hubbell, on AV rating, and have been included in Who's Who in American Law and Best Lawyers in America for many years.

8. I was recognized as one of the Top 50 Lawyers by Louisiana Super Lawyers 2007 and thereafter and as one of the preeminent specialists in the field of Bankruptcy Creditor/Debtor Rights.

9. Through its bankruptcy practice, Steffes has represented parties in a wide variety of areas, including those involving both workers compensation and self-insurance fund matters.

10. Steffes had been engaged as contract counsel by the Louisiana Workforce Commission in a number of bankruptcy matters over the past several years.

11. Barbara B. Parsons is the primary Steffes attorney involved in the Class Action. Ms. Parsons received her J.D. and M.B.A. from Loyola University of New Orleans in 2002, after receiving her undergraduate degree from Louisiana State University. Since joining the firm in 2008, her practice has focused primarily on bankruptcy law and commercial transactions and litigation. Her prior experience includes a judicial clerkship with the Honorable Richard D. Anderson. Ms. Parsons is licensed to practice in all state and federal district courts of Louisiana, as well as in the U.S. Court of Appeals, Fifth Circuit.

12. During the past twelve years, Ms. Parsons and Steffes have gained extensive knowledge of practices and operations of self-insurance funds through their (a) representation of two self-insurance fund debtors in their bankruptcy proceedings: *In Re Towing and Recovery Professionals of Louisiana Trust*, Chapter 11 Case No. 10-10707, United States Bankruptcy Court for the Middle District of Louisiana, and *In Re Employers' Self Insurance Fund*, Chapter 7 Case No. 12-11512, United States Bankruptcy Court for the Middle District of Louisiana; (b) representation of the settlement class, comprised of self-insurance fund participants, in the state

court class action, *Roadrunner Towing & Recovery, Inc. for itself and on behalf of others similarly situated vs. Lucien Burkett, et al*, Suit No. 595,553, Section 23, 19th Judicial District Court, Parish of East Baton Rouge, State of Louisiana; and, (c) ongoing representation as general counsel to the TRPLT Unsecured Creditors' Trustee (“UCT”), a liquidation trust established through the above-referenced *Towing and Recovery Professionals of Louisiana Trust* Chapter 11 case. Since 2011, Steffes has represented the UCT and has been intimately involved in development and implementation of the assessment plan, designed to enforce contractual liability of self-insurance fund’s members for purposes of satisfying outstanding liabilities of the TRPLT self-insurance fund, which existed at the time of its chapter 11 case filing.

13. Steffes has committed considerable resources to the Class Action and have diligently defended the claims asserted therein, through, among other actions, conducting extensive investigation of the Trustee’s claims, reviewing substantial discovery, consulting with an expert in the field of forensic accounting involving self-insurance trusts and licensed insurers, and litigating the extent of potential liability of Class members including through the claims administration process of the Bankruptcy Case.

14. In negotiating the terms for the Settlement, we evaluated, among other things, the various possibilities for judgments that could be rendered against Class members, including the possibility of class member(s) being found solidarily liable for up to \$30 million, the likelihood of such potential judgments; and, weighed same against the fixed liability amounts assigned to Class members through the Settlement, none of which exceed \$13,000. In addition, we examined the estimated *pro rata* share of litigation costs to be borne by Class members and the strong likelihood that such shares of litigation costs would be far less than any Class member would incur for defense of the Trustee’s claims or even attempting to negotiate a settlement with the Trustee.

15. Based upon my experience, including the substantial experience gained through Steffes' representation of the UCT, and familiarity with the facts and procedural history of this case, I believe that the Settlement is fair, reasonable and adequate and provides a beneficial result for Class members.

16. I have reviewed the Motion for Final Approval and all of the information contained therein is true and correct to the best of my knowledge, information and belief.

17. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 2, 2022.

/s/ William E. Steffes
William E. Steffes