

SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

SHIVA Y. STEIN, individually and on behalf
of all others similarly situated,

Plaintiff,

-against-

SYMETRA FINANCIAL CORPORATION,
LOWNDES A. SMITH, PETER S. BURGESS,
DAVID T. FOY, LOIS W. GRADY, SANDER
M. LEVY, ROBERT R. LUSARDI, THOMAS
M. MARRA, SUMITOMO LIFE INSURANCE
COMPANY, and SLIC FINANCIAL
CORPORATION

Defendants.

No. 15-2-20458-1SEA

**ATTACHMENT OF NOTICE OF
OBJECTION BY LAWRENCE B.
DVORES TO AWARD OF
ATTORNEYS' FEES TO PLAINTIFFS
COUNSEL AS PART OF PROPOSED
CLASS ACTION SETTLEMENT**

Attached please find a "Notice of Objection by Lawrence B. Dvores to Award of
Attorneys' Fees To Plaintiffs Counsel As Part Of Proposed Class Action Settlement" which
Plaintiffs' counsel received via overnight mail on April 20, 2016.

DATED the 21st day of April, 2016.

KELLER ROHRBACK L.L.P.

By: /s/Karin B. Swope

Karin B. Swope, WSBA #24015
1201 Third Avenue, Suite 3200
Seattle, Washington 98101
Telephone: 206/428-0561 / Fax: 206/623-3384
kswope@kellerrohrback.com

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POMERANTZ LLP
Gustavo F. Bruckner (Pro Hac Vice pending)
Anna Karin F. Manalaysay (not admitted in WA)
600 Third Avenue
New York, NY 10016
(212) 661-1100

Attorneys for Plaintiff

1 **CERTIFICATE OF SERVICE**

2 I, hereby certify that on the 21st day of April, 2016, a copy of the foregoing was
3 electronically filed and served via the King County E-Filing system which will send notification
4 of such filing to following Defense counsel:

5 Stephen M. Rummage
6 Brendan T. Mangan
7 Davis Wright Tremaine LLP
8 1201 Third Avenue, Suite 2200
Seattle, WA 98101

9 Steven Fogg
10 David Edwards
11 Corr Cronin Michelson Baumgardner Fogg & Moore, LLP
12 1001 Fifth Avenue, Suite 3900
Seattle, WA 98154

13 I hereby certify that on the 21st day of April, 2016, a copy of the foregoing was emailed
14 and mailed to the following Defense counsel:

15 Sandra Goldstein (sgoldstein@cravath.com)
16 Michael Paskin (mpaskin@cravath.com)
17 Cravath Swaine & Moore, LLP
825 Eighth Avenue
New York, NY 10019

18 Joshua Slocum (jslocum@stblaw.com)
19 Peter Kazanoff (pkazanoff@stblaw.com)
20 Simpson Thatcher & Bartlett LLP
425 Lexington Avenue
New York, NY 10017

21 I certify under penalty of perjury under the laws of the State of Washington that the
22 foregoing is true and correct.

23 DATED this 21st day of April, 2016.

24 s/Karin B. Swope
25 Karin B. Swope, WSBA #24015
26

**ATTACHMENT:
NOTICE OF OBJECTION**

SUPERIOR COURT OF THE STATE OF WASHINGTON
KINGS COUNTY

No. 15-2-20458-1 SEA

SHIVA Y. STEIN, individually and

NOTICE OF OBJECTION BY
LAWRENCE B. DVORES TO AWARD
OF ATTORNEYS' FEES TO PLAINTIFFS
COUNSEL AS PART OF PROPOSED
CLASS ACTION SETTLEMENT

On behalf of all others similarly situated,

Plaintiffs

v.

SYMETRA FINANCIAL CORPORATION et al.

Defendants

Introduction

I am a member of the class purportedly represented by plaintiff's counsel. Attached is the official sale confirmation showing that I owned 200 shares of Symetra Financial Corp. on August 11, 2015 in a joint brokerage account with my wife Estelle Dvores at THE GMS Group and sold these shares for \$31.545 per share on the same date following the August 11th merger announcement which is the subject of this class action. (Dvores Exhibit 1)

I have received the official court notice of the proposed settlement dated February 16, 2016. This notice was sent to my home address and is the same address listed for the brokerage account where I held my Symetra Financial Corp shares. I received this notice on April 11, 2016. I am sending this letter to give Notice of my objection to the proposed settlement and specifically the award of attorneys' fees and expenses to plaintiffs' counsel.

I am entering this objection on a pro se basis and I do not represent any other class member. I have no connection to any of the parties and no connection with any of the attorneys and law firms involved in this case.

I am objecting to the proposed award of up to \$270,000 to plaintiffs' counsel for attorneys' fees and expenses for the following reasons.

REASONS FOR OBJECTION

1

THE PLAINTIFFS COUNSEL FAILED IN THEIR MAIN GOAL TO PROVE THAT THE MERGER SHARE PRICE WAS INADEQUATE AND TO EITHER STOP THE MERGER OR RAISE THE MERGER CONSIDERATION. THE BASIC TEST FOR AWARDING ATTORNEYS FEES IS BASED ON RESULTS AND NOT EFFORTS AND PLAINTIFFS ATTORNEYS HAVE NOT MET THIS STANDARD

11

THE ACTIONS OF PLAINTIFFS' COUNSEL IN FAILING TO SECURE ANY CASH BENEFIT TO THE CLASS MEMBERS UNDER THE PROPOSED SETTLEMENT RAISES THE QUESTION WHETHER THERE WAS ANY REASONABLE BASIS FOR THIS LAWSUIT AND ITS CLAIM OF MISCONDUCT BY DEFENDANTS.

111

THE OVERWHELMING VOTE BY SHAREHOLDERS TO APPROVE THE MERGER PER ITS ORIGINAL TERMS DESPITE THE ADDITIONAL DISCLOSURES OBTAINED BY PLAINTIFFS' COUNSEL DEMONSTRATE THE ILLUSIONARY AND NEGLIGIBLE BENEFIT OF SUCH DISCLOSURES FOR CLASS MEMBERS AND PROVIDE FURTHER EVIDENCE THAT PLAINTIFFS' COUNSEL'S CHARGES OF DEFENDANT MISCONDUCT WERE RECKLESS SO ATTORNEYS' FEES AND EXPENSES SHOULD BE DENIED

1V

ALTHOUGH PUBLIC POLICY SUPPORTS THE IDEA OF ENCOURAGING EARLY SETTLEMENT OF LITIGATION, PUBLIC POLICY ALSO REQUIRES THE REMOVAL OF INCENTIVES FOR NUISANCE SUITS AND FRIVOLOUS CLAIMS AND, ACCORDINGLY, AN APPLICATION FOR ATTORNEYS FEES IN A CLASS ACTION CASE WITH VERY MINOR AND DUBIOUS RESULTS SHOULD BE DENIED

V

I HAVE NO FINANCIAL INTEREST IN THE OUTCOME OF THIS LITIGATION. SINCE I LIVE IN NEW JERSEY IT IS UNREASONABLE TO REQUIRE ME TO EITHER HIRE AN ATTORNEY OR TO TRAVEL TO SEATTLE, WASHINGTON TO PERSONALLY ATTEND THE SETTLEMENT HEARING IN ORDER TO MAKE AN OBJECTION AND HAVE IT CONSIDERED BY THE COURT AND I THEREFORE ASK THE COURT TO WAIVE THIS REQUIREMENT WHICH WAS SET FORTH IN THE OFFICIAL COURT NOTICE OF THE PROPOSED SETTLEMENT

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PLAINTIFFS' COUNSEL SHOULD BE REQUIRED TO PROVIDE WEBSITE ACCESS FOR CLASS MEMBERS TO REVIEW THE PLAINTIFFS' COMPLAINT AND ALL OTHER PUBLIC FILINGS OF PLEADINGS RELATED TO THIS CASE AS PART OF THE PROCESS FOR NOTIFYING CLASS MEMBERS OF THEIR RIGHT TO OBJECT TO THE PROPOSED SETTLEMENT SINCE CLASS MEMBERS NEED SUCH INFORMATION TO HELP EVALUATE THE MERITS OF THE SETTLEMENT

V11

THE ONLY VIRTUE OF THE PROPOSED SETTLEMENT IS THAT IT ENDS THIS WASTEFUL AND RECKLESS LITIGATION BUT SURELY THIS RESULT IS NOT A REASON TO APPROVE PLAINTIFFS' COUNSEL'S APPLICATION FOR ATTORNEYS' FEES AND EXPENSES

Respectfully submitted,



Lawrence B. Dvoves
28 Sherbrooke Parkway
Livingston, New Jersey 07039
LDvoves@yahoo.com
973-535-5000 (office)

Dated: April 19, 2016

Dvores Exhibit 1



5N REGENT STREET
SUITE 513
LIVINGSTON, NJ 07039-1617
973-535-5000 • 800-453-6230

THE GMS GROUP LLC
5N REGENT STREET, SUITE 513
LIVINGSTON, NJ 07039-1617
TEL: (800) 453-6230 • (973) 535-5000

CONFIRMATION

MAIL TO:

LAWRENCE B DVORES &
ESTELLE DVORES JT TEN
28 SHERBROOKE PARKWAY
LIVINGSTON NJ 07039-3124

For the account of:

LAWRENCE B DVORES &
ESTELLE DVORES JT TEN

Account Number:

Account Type:

Your Account Executive:

Your Account Executive Number:

For additional information, please see the reverse side.

You Sold:

SYMETRA FINL CORP COM

Trade Date: 08-11-15
Process Date: 08-11-15
Settlement Date: 08-14-15
Cusip: 87151Q-10-6
Symbol: SYA

We confirm the below trade, subject to the terms and conditions set forth on this confirmation.

DATE	QUANTITY	PRICE	AMOUNT	INTEREST	COMMISSION	NET CHARGE	SETTLEMENT DATE	SETTLEMENT AMOUNT	SETTLEMENT CUSIP	SETTLEMENT SYMBOL
08-11-15	200	31.545	6,309.00		45.00	6.00	0.12	6,257.88	87151Q-10-6	SYA

BKCM A Pershing Affiliate Makes A Mkt In This Security & Acted As Principal Unsolicited Order

Default Tax Lot Disposition Method : FIRST IN FIRST OUT

Tax lot information will only be displayed for partial dispositions. Full dispositions will use all the available tax lots. You may change the disposition method or tax lots applied to this trade before the earlier of settlement date or three business days. For more cost basis information, please contact your investment professional.

THIS CONFIRMATION IS AN ADVICE NOT AN INVOICE. REMITTANCE OR SECURITIES ARE DUE ON OR BEFORE SETTLEMENT DATE.

SEE TERMS AND CONDITIONS AND EXPLANATION OF CODED SYMBOLS RELATING TO THIS CONFIRMATION. ON OTHER THAN ROUND LOTS (NORMALLY 100 SHARES) IF "DIF" APPEARS ABOVE, AN ODD-LOT DIFFERENTIAL HAS BEEN CHARGED IN CONNECTION WITH THIS TRANSACTION. THE AMOUNT OF SUCH DIFFERENTIAL WILL BE FURNISHED UPON REQUEST. CLEARING THROUGH PERSHING LLC, A WHOLLY OWNED SUBSIDIARY OF THE BANK OF NEW YORK MELLON CORPORATION (BNY MELLON) PERSHING LLC, MEMBER FINRA, NYSE, SIPC, ONE PERSHING PLAZA, JERSEY CITY, NJ 07300.

LAWRENCE B. DVORES
28 SHERBROOKE PARKWAY
LIVINGSTON, N.J. 07039

April 19, 2016

Re: Stein vs. Symetra Financial Corp.
Superior Court of Washington State
Kings County
No. 15-2-20458-1-SEA

I certify that I served a copy of the NOTICE OF OBJECTION BY LAWRENCE B. DVORES TO THE AWARD OF ATTORNEYS' FEES TO PLAINTIFFS' COUNSEL AS PART OF THE PROPOSED CLASS ACTION SETTLEMENT to the following attorneys on April, 19, 2016.

By overnight mail to:

Gustavo F. Bruckner
Pomerantz LLP
600 Third Avenue
New York, NY 10016

By electronic mail to:

Sandra C. Goldstein
Cravath, Swain & Moore LLP
sgoldstein@cravatth.com

Michael A. Paskin
Cravath, Swain & Moore LLP
mpaskin@cravath.com



Lawrence B. Dvores
LDvores@yahoo.com