

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

In re CMS ENERGY ERISA LITIGATION)
) Master File No. 02-72834
)
This Document Relates To:)
) Honorable George Caram Steeh
)
ALL ACTIONS)
) Class Action
)
_____)

**CLASS COUNSEL'S MOTION FOR AWARD OF ATTORNEYS' FEES,
REIMBURSEMENT OF EXPENSES,
AND AWARD OF COMPENSATION TO CLASS REPRESENTATIVES**

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May 16, 2006

1. Class Counsel and Class Representatives Roger Schilling, Karen Potter, and Danny Jordan through their Counsel, in compliance the Court's Order Granting Preliminary Approval Of Settlement, Approving Form And Method Of Notice, And Setting A Date And Time For A Fairness Hearing in this action and with Rule 23 of the Federal Rules of Civil Procedure and the requirements of due process, request that the Court enter an Order:

a. Awarding Class Counsel attorneys' fees in the amount of 28.5 % of the cash Settlement Fund recovered for the benefit of the Class;

b. Reimbursing Class Counsel \$552,268.35 in expenses advanced by them to the Class as reasonable and necessary expenses of litigation; and

c. Awarding Class Representatives Roger Schilling, Karen Potter, and Danny Jordan \$15,000 each to in recognition of the time and effort they have invested as Class Representatives for the benefit of the Class.

2. Through the efforts of Class Counsel and the Settlement Class Representatives, Plaintiffs achieved an excellent result for the Class that includes a \$28 million payment and important equitable relief benefiting all participants in the Employees' Savings Plan of Consumers Energy Company (the "Plan").

3. Each of these requests is fully supported by the record and controlling Sixth Circuit authority regarding compensation of counsel and class representatives in class action cases of this type and magnitude.

4. The grounds for granting this motion are more fully set out in plaintiffs' supporting brief, which is filed herewith. In summary, the requested fee award is fair and reasonable based upon: (1) the value of the benefit rendered to the plaintiff class; (2) the value of the services on an hourly basis; (3) the fact that the services were undertaken on a contingent fee basis; (4) society's stake in rewarding attorneys who produce such benefits in order to maintain an incentive to others; (5) the complexity of the litigation; and (6) the professional skill and standing of counsel involved on both sides. In addition, the expenses for which Class Counsel seek

reimbursement from the common fund created by the Settlement were reasonably incurred for the benefit of the Class in prosecuting the Class's claims and in obtaining the Settlement, including expenses incurred in connection with experts and consultants, travel and other litigation-related expenses. Furthermore, the Class Representatives should be awarded compensation for the time and effort they have invested for the benefit of the Class, including providing information to Class Counsel, reviewing and approving pleadings, assisting with discovery, preparing for and attending their deposition, and participating in settlement discussions.

WHEREFORE, Plaintiffs respectfully request that this Court award Class Counsel attorneys' fees, reimburse Class Counsel for expenses, and award the Class Representatives compensation in the amounts requested. A proposed Order is filed herewith.

Respectfully submitted this 16th day of May 2006.

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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of May 2006, CLASS COUNSEL'S MOTION FOR AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES, AND AWARD OF COMPENSATION TO CLASS REPRESENTATIVES was electronically filed with the Clerk of the United States District Court, Eastern District of Michigan, using the CM/ECF system, which automatically serves notification of filing via email transmission on ECF registered counsel of record listed below. Non-ECF registered counsel will receive notice via U.S. Mail and via email.

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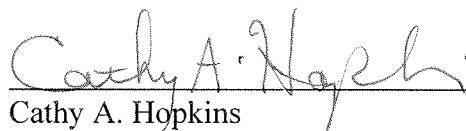
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